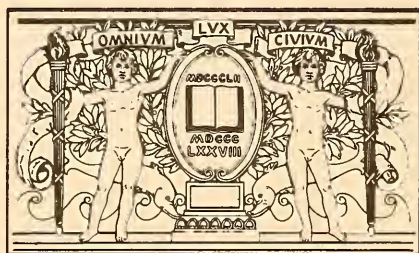


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PREFACE

TO THE SECOND EDITION.

I MAY be permitted to avail myself of this opportunity to express my pleasure and satisfaction that the hopes and expectations which (in total ignorance of the plans and intentions of Her Majesty's Government) I had ventured to entertain, have been so far realised, and that the great work of conciliation and peace which it was my object to recommend, is fairly and irrevocably begun. "It is true," said Lord Bacon, "which was anciently said, that a state is contained in two words *præmium* and *pæna*, and I am persuaded if a penny in the pound that hath been spent in *pæna* had been spent in *præmio*, that is, in rewarding, things had never grown to this extremity."*

Towards Ireland the policy of *pæna* may now be considered as for ever abandoned, and that of *præmium*

* Bacon's Works, vol. v., p. 194.

adopted in its stead: and however deplorable the temper which has been manifested on both sides of the Channel, the pitiful exhibition of ill humour, mixed with religious intolerance and a selfish, narrow minded spirit on this, and an ungracious, ungrateful, and unconciliatory demeanour on the other, we must not suffer ourselves to be disgusted or disheartened by any such demonstrations, but persevere steadily and fearlessly in the course which justice and policy alike recommend. Sir Robert Peel must surely have been prepared for no inconsiderable opposition both in Parliament and out, nor can he be much surprised that some persons who heartily concur in his measures, should seize this opportunity of assailing his character, and impairing his influence; but an opposition, based upon no sound religious principle or wise policy, and sustained by scarcely any individuals whose sentiments are entitled to consideration, is not likely to frighten and deter him from proceeding firmly in the course on which he has entered. This opposition, indeed, is composed of very strange and discordant materials: it presents an incongruous union of some high and many low churchmen with the whole body of the Dissenters—an alliance between those extreme religious sections which most heartily

detest and despise one another ; and they really may be considered *Acephali*, except so far as they acknowledge the leadership of a few clerical zealots, and one or two very worthy if not very wise country gentlemen. We have been accustomed of late years to hear so much of the advancement of knowledge, and the progress of society, that we might not unnaturally form an erroneous estimate of the generally prevailing amount of good sense, liberality, and toleration, and therefore feel both shocked and surprised at the storm of bigotry which so suddenly and noisily burst upon us : and it is especially to be regretted that the Dissenters, with whom religious liberty ought to be regarded as an inheritance, and whose fathers smarted so severely under the system of religious intolerance, should have manifested on this occasion a spirit so dogmatical, illiberal, and unchristian. On the other hand, circumstances are visible of a more cheering and hopeful character. The opposition to Maynooth, though diffused over a wide surface, and proclaimed with much sound and fury, has, in reality, nothing in it which threatens to be either formidable or durable. It penetrates but a little way below the surface, and the Church of England has acted a prudent and

dignified part, setting an example of moderation no less creditable to herself than it is beneficial to the public interests. Eminent men of all parties and shades of opinion—all those who have directed, who do direct, or by any political possibility can be called to direct, the affairs of the State, are agreed upon this question; and to suppose that this vast power of intellect and practical experience can fail, sooner or later, to carry along with it those masses of feeling and habit rather than of reason, which constitute what is called public opinion, would be to expect consequences at variance with the constitution of the human mind itself, and with the certain and inevitable march of events. Objections to the Maynooth grant have been urged from the most opposite quarters—some have derided it as too small a boon to be operative for any good result; and others, as the certain forerunner of a complete Roman Catholic Establishment in Ireland. It cannot be denied that both are well founded. It is idle to suppose that Ireland could be tranquillised by a mere outlay of 25,000*l.* a year, or that the provision of a good and comfortable education for a few hundred clerical students, could purge the whole Irish priesthood of the leaven of disaffection and turbu-

lence. The only sufficient answer to the first of these objections is an admission that the second is perfectly true. There is no use in attempting to disguise from ourselves or from others, that the Roman Catholic Church in Ireland must and will be publicly endowed, and that nothing remains to be determined but the time and mode of its endowment. The question is encumbered, indeed, with many difficulties, which it will require much patience, discretion, and firmness to overcome. But it would be mischievous, as well as useless, to affect any doubt or practise any dissimulation in respect to the great results which may be anticipated. It is good that the public mind should be familiarised as soon as possible with the contemplation of these results; for nothing can be more certain than that, when men become sensible that a measure, however obnoxious, is irresistible, they begin to resign themselves to the necessity, and to seek consolation from those very arguments of expediency to which they refuse to listen as long as any hope of successful opposition remains. Experience and reflection materially assist this disposition of the human mind. It was once believed that the abolition of the Test Acts would shake the security of the Esta-

blished Church, and that Catholic Emancipation would put in jeopardy the Protestant religion. The Test Acts were repealed, and the Church still flourishes, her influence and authority unimpaired : Catholic Emancipation, full and unqualified, was conceded, and there is not a Protestant, churchman or dissenter, who feels one jot less secure in the possession of all the religious privileges and blessings which he ever enjoyed. And just as so many other great questions largely affecting the vital interests of mankind have struggled through storms and conflicts to their peaceful triumph, will this do the same. The Roman Catholic Church will be endowed; and when the fruits of a wise, just, and healing policy shall manifest themselves (as it is not too much to expect that they will) in the improved condition of the mass of the Irish people, and the gradual establishment of international union and concord, the present generation, if it should be so fortunate as to see this happy consummation, will very soon forget all its scruples and alarms, and the next will assuredly look back upon them with mingled pity and astonishment, marvelling that after eighteen centuries, people were still found (and in England too) ready to insult,

injure, and oppress each other, from motives of theological disagreement and hatred, and who continued to deceive themselves with the belief that civil penalties and privations could be made instrumental to the promotion of religious truth.

It is only while these last sheets are passing through the press, and too late for any notice of it in the text, that my attention has been drawn to a treatise on the ecclesiastical law of all Christian confessions by Ferdinand Walter. This treatise has gone through nine editions, and is used as a standard work on the subject by all the German Catholics. I have been induced to add in the shape of an appendix some extracts from it, which elucidate that part of my second chapter which treats of foreign establishments, and which appear to me both interesting and valuable, because they speak the sentiments on religious toleration prevalent amongst educated Catholics of rather a high church complexion in Germany.

May 24, 1845.

PREFACE.

WHOEVER has watched the course of events, from the commencement of the Repeal Agitation down to the close of the debate on Lord John Russell's motion in February, 1844, cannot fail to perceive that a fresh Catholic question has been started; and they who are acquainted with the rise, progress, and end of all great political questions in this country during the last half century, can hardly doubt that some great change in Irish policy will inevitably be made, though in all probability not without a struggle, the duration of which it would be rash to predict. There certainly was little or nothing in the first view of this debate which promised the near approach of such a result. The leaders of the Government declared emphatically that they would not consent to any alteration of that ecclesiastical policy which is generally felt to be the real and

essential (though hitherto unacknowledged) object of contest. They would neither alienate the revenues of the Protestant Church, nor pay the Catholic clergy. On the other hand, the opposition presented a variety of incongruous opinions; and the question of redressing Irish grievances seemed settled for the time by a majority of 100 against any inquiry into their causes or effects. But it is impossible not to be struck with the very remarkable change in the tone and temper in which the Irish discussion was then carried on, and still more with the altered state of opinion which now prevails in society on this topic. It is difficult to meet with any one in or out of Parliament who does not admit that *something must be done*,* and the whole of the minority of 226, with no inconsiderable portion of the majority against Lord John Russell's motion, not only avowed this conviction, but appeared (however undecided or disagreeing on specific measures) impressed with the necessity of laying the

* In March 1829, Sir Robert Peel spoke as follows in the House of Commons:—"We cannot determine on remaining idle spectators of the discord and disturbances of Ireland. The universal voice of the country declares that something must be done. I am but echoing the sentiments of all reasonable men when I repeat, that something must be done."

foundation of a real and permanent union between the two countries. Much difference of opinion prevails as to the nature of the measures that would be requisite for this end—to what the people of England could be brought to consent, and what the people of Ireland would be content to receive. But even those who are most vehemently opposed to any change in the appropriation of Church property, admit that, by some means or other, the Catholics must be satisfied. It is clear enough that the reason why more explicit opinions have not been expressed, and more definite plans proposed, has been the apprehension of shocking or exciting the prejudices of the people of this country ; and it is the difficulty and at the same time the necessity, of vanquishing these prejudices, which presents one of the most formidable obstacles to the great work of establishing tranquillity and peace. The good people of England have, for the most part, sucked in with their mothers' milk a dislike to the Roman Catholic Religion, and they have been accustomed to associate its profession in Ireland with turbulence, disaffection, the perpetration of revolting crimes, and all the evils of a vast moral and social disorganisation. This impression, which had its origin at an earlier period, was con-

firmed and exasperated by a bloody and exterminating civil war; and for a long time it grew with the growth, and strengthened with the strength of public opinion. It caused a nation, naturally just and humane, to regard with complacency the enactment of the penal code. It was the chief source of George the Third's popularity, and it explains the remarkable political phenomenon of the successful resistance so long opposed to Catholic Emancipation, though supported by the wisdom, zeal, and eloquence, of the greatest statesmen and orators whom our age has produced. But the mighty mass of those who are elevated enough in life to reason and reflect, though tenacious of their early prepossessions, are accustomed to observe a just proportion between their efforts and their objects; and while they would strive to the death against any invasion of their own rights and privileges, or against any attempt to impose upon them a political or religious yoke, would not be disposed to make the same sacrifices, merely to maintain an ascendancy over a people determined no longer to endure it. So long as the question is merely speculative, and no effects flow from it but such as operate upon the welfare of Ireland

herself, resolute No-popery Englishmen will feel little, either of remorse or fear, on account of the poverty and discontent which they have been accustomed to see or hear of: but if they should begin to find their own material interests in jeopardy, if trade were to diminish and taxation to increase, a new light of liberality and toleration would infallibly dawn upon their minds; they would ask themselves whether the questions which arouse all the feelings and passions of Irishmen, really concern Englishmen in any sensible degree: a prudent English Protestant, when he finds himself compelled to pay for the reinforcement of the army in Ireland, will consider what interest he or his children have in maintaining the Irish Church, in defiance of the wishes of the great majority of the Irish people. There is no nation in the world more ill-informed, and more under the influence of false and erroneous impressions than the English, in respect to the international transactions of England and Ireland,* and the practical working of Catholicism in its connection

* "It is a great misfortune of this country, that the people of England know less of it than they know, perhaps, of any other nation in Europe. Their impressions, I do really believe, are received from newspapers, published for the set purpose of deceiving them."—*Lord Clare's Speech on Catholic Relief Bill.*

with Protestant states. All the sources of knowledge have been poisoned by polemical bigotry, or party misrepresentation. No history has been so perverted and disfigured for the purposes of faction or fanaticism as that of Ireland. Irish agitators who harangue monster meetings on the Hill of Tara, exciting the combustible passions of their countrymen by fabulous narratives of Saxon cruelty, are not more culpable, and are far more excusable, than the orators of Exeter Hall, who strive to resuscitate the languid Anti-Popery zeal of Englishmen, by raving about the massacre of 1641, and the theology of Peter Dens. What the people of England want is knowledge of the truth, in order that they may be led by it to cast away their ancient prejudices, and to deal with Ireland in a spirit of wisdom and justice. They who will patiently and candidly trace the whole course of Irish calamities and crimes, through their unbroken chain of causes and effects, will be obliged to confess that the Irish Catholics are neither more nor less than what our policy has made them; and that according to every principle of human nature, and every historical analogy, such policy could not possibly have made them different from what they are. Violence, oppression, and

insult, will inevitably beget hatred, resistance, and revenge. From the savage state in which we found, but from which we never endeavoured to reclaim and elevate them, we reduced them to the condition of slaves, and we never ceased to despise, till they compelled us to fear them.

It is the object of the following pages to present an intelligible narrative of the policy which England has pursued towards Ireland throughout the whole period of their connection, with its changes, its inconsistencies, and its effects.

In stating this case, the recorded opinions and arguments of some of the greatest authorities who have written or spoken upon Irish affairs have been produced, like witnesses, in support of an indictment. The conduct of England has neither been extenuated nor aggravated, and many painful details (especially those of the Rebellion of 1798) have been passed lightly over, from reluctance to revive scenes and deeds of violence and cruelty, the description of which is not essential to my purpose. I have shown the principle on which Ecclesiastical affairs are managed in other countries, and, in contrast and comparison with them, have described the character of our own—of that system, if system it can be called,

which is based upon no principle, or in which some half-abandoned, half-asserted principle is perpetually struggling with necessity or expediency, and producing a state of danger and disaffection in one division of the Empire, of alarm and distrust in the other, and of bitter animosity in both. From want of sufficient local and technical knowledge to deal with such important subjects, I have refrained from entering into the various secular grievances of Ireland; nor is it necessary to dilate upon the question of Repeal. In Ireland it would be useless, in England superfluous, to waste words upon this colossal bubble. Everybody in this country, and almost all calm and rational observers elsewhere, regard it as a comedy of an indefinite number of acts, which the mighty manager, "for divers unknown reasons," thinks fit to persist in representing. Certain symptoms, however, indicate that the speculation is no longer quite so attractive, or so productive, as it has been, and it is not difficult to believe that there must be some limit to the credulity of the Irish people, and that they will, sooner or later, discover that Repeal, like the phantom ship, though constantly pursued, is never approached.

“ Thus on and on
Till day was gone,
And the Moon through Heaven did hie her ;
He swept the main, 1
But all in vain,
That boat seemed never the nigher.”

It is difficult to determine how far the influence of Mr. O'Connell over his countrymen is, as yet, materially or permanently impaired. It is his misfortune, as well as theirs, that he has put them upon a false scent, and halloo'd them so vehemently on it, that, if he wished it, he is now unable to whistle them off; and he is compelled to prolong the hopeless chase, for fear of being devoured by his own disappointed pack. Recent circumstances have, however, shown that his authority is by no means so paramount and undisputed as it was; and his own conduct has evinced signs of weakness and perplexity very unlike the vigour and decision of his earlier days. The eagerness with which he has jumped from one foolish novelty to another, allying himself one day with the federalism of Mr. Grey Porter, and the next with the Orangeism of the Rev. Tresham Gregg, has excited no inconsiderable feeling both of ridicule and disapprobation. Unhappily, Mr. O'Connell's personal position is a great obstacle to peace. The rent, indeed, for accepting which he has been so

reviled, instead of being discreditable, ought to be deemed honourable to him, as a national acknowledgment of his services. Nor is it otherwise than fit and just, that a man who has relinquished abundant sources of professional emolument, in order to devote himself to his country, should be remunerated by the country for his personal sacrifices in her cause. It would be unjust to Mr. O'Connell to suspect that he has been exclusively, or even mainly, influenced in his political conduct by mercenary considerations. It may be conceded that his ruling passion has been love of Ireland, and that he has courted power as the instrument of advancing her prosperity. But with every disposition to render him fair and impartial justice (as the following pages will show), and allowing that his motives may have been quite as much patriotic as personal during a great part of his political career, it is impossible, by the most charitable construction, to excuse his conduct in heaping incessantly fresh fuel on the repeal agitation, and straining all his energies to defeat every beneficial and conciliatory measure proposed for Ireland, and to keep alive those feelings of international estrangement, which all wise and good men of both countries are striving to extinguish.

In attempting to show the disgrace, as well as the danger, of leaving matters as they are, and the justice and wisdom of establishing the principle of concurrent endowment in Ireland, I have purposely abstained from offering any positive and definite suggestion as to time and circumstances, knowing well how many difficulties surround the question; and that, provided the recognition of the principle be obtained, all the details had better be left to the discretion of those on whom the executive responsibility must ultimately rest. Difficulties, however, disappear when they are boldly faced; and the Minister who will cheerfully encounter them, may trust to the goodness of his cause, and to the disinterested support of all moderate and reasonable men.

It only remains to add, that I have no pretension to bring forward any new matter upon a question so completely exhausted, nor to do more than by putting together facts and arguments, the greater part of which must be already familiar to those who have studied Irish history or attended to Irish affairs, to place the subject in such a point of view, as to draw a more general and impartial attention to its deep interest and its paramount importance.

As a suggestion to increase the efficiency of Maynooth is contained in the following pages, it appears necessary to state that this work had passed through the press before Parliament met, and therefore, before the intentions of Government to propose such a measure had been announced.

March 15, 1845.

PAST AND PRESENT POLICY
OF
ENGLAND TOWARDS IRELAND.

CHAPTER I.—PART I.

IT is unnecessary to attempt any description of the history of Ireland before the English Invasion, or the state of the country at that time; it is well known that it was a frightful scene of anarchy and savage warfare, and that the people were degraded by uncouth manners, and barbarous customs and laws. Any invader who had accomplished a civilising conquest and established a civilising settlement, would have been a mighty benefactor to the land. Such, indeed, was the intention of Henry the Second, (though his performance was very far from commensurate with it,) but nothing could be more hypocritical and unjust, than the pretext he employed to attain his object. Being destitute of any cause or pretence for a hostile aggression, he called in religion to his aid; and first acknowledging that

all the islands in which Christianity was planted belonged to the Holy See, he despatched John of Salisbury to Rome, with a request to Pope Adrian the Fourth, that he would give him authority to subdue the Irish, "in order that he might reform them." Adrian issued the desired Bull (taking care to insert in it advantageous stipulations for the Church of Rome); and this farce, acted between the pope and the king (mutually conceding, in order to abet each other's usurpations, what neither of them had a shadow of right to grant), was the original and only title which the English crown possessed to the sovereignty of Ireland.*

The king's enterprise was exceedingly well timed: no sense of common danger could extinguish the vindictive feuds of the Irish, and the success which attended Henry when he landed in person in Ireland, renders it probable, that if he had been at leisure to devote himself to the conquest of the country, that object would have been attained, and centuries of evil and misery would have been consequently prevented. His kindness to the Irish, the disposition he evinced to be their protector rather than their enemy, the redress he afforded them against the violence and exactions of his own followers, together with the terror of his arms, brought about the submission of the greater

* Littleton's Hist. of Henry II., vol. v., p. 108. The old Irish Church neither acknowledged the authority of the Vatican, nor received the whole system of Romish doctrines and discipline; and one object of the invasion was to force the Irish to become Papists.

part of the native princes ; and finally, that of Roderick, King of Connaught, the chief ruler, who acknowledged himself to be his vassal—at a great council which was held either at Lismore or Dublin, (it seems uncertain which,)* the laws of England were received by all present, and oaths were taken to observe them.

Such was the connexion which the English lawyers say originated in conquest, or in a feudal compact of the Irish chiefs with the English crown ; but whatever may have been its origin, the king's continental or domestic embarrassments put a sudden stop to its progress, and instead of the conquest of the whole island, and subjugation of the people, all that he actually accomplished was, the establishment of a colonial settlement.†

The real founders of this settlement, however, were Strongbow, Earl of Pembroke, and the two brothers, Fitzstephen and Fitzgerald, who began the enterprise without the king's leave, though they afterwards obtained an ambiguous permission from him, and submitted to his authority. After Henry's departure, their power was left uncontrolled ; and forgetful of his promises and professions to the native chiefs, and conscious that his sovereignty depended on the valour and fidelity of the Anglo-Norman barons,‡ he made them lavish grants of honours and territories ; and as either policy or necessity dictated

* Littleton, vol. v., p. 111, 117.

† Lord Clare's Speech on the Union. ‡ Plowden, vol. i., p. 34.

the same course to his successors, the whole island (except Dublin and the maritime towns,) was divided before the end of the thirteenth century, (and some of it in the 12th,) between ten English families.* But the natives were not disposed to submit to these usurpations, and as they endeavoured to defend their possessions and repel the aggressors, the country was soon reduced to a worse state of anarchy and civil war than that which preceded the Invasion.† For half a century the English power continued to extend itself, though gradually, and with many vicissitudes of victory and defeat; the laws of England, and the charters of English liberty, were nominally, at least, introduced into Ireland, though (as will presently be seen) the natives derived little, if any, benefit therefrom. Privileges were granted to the towns—the division into counties was begun, and sheriffs and judges were appointed. It appears certain, that Henry the Second was sincerely desirous of establishing peace, order, and justice, throughout Ireland; nor were his successors indisposed to follow out his wise and beneficent intentions. But they were too constantly occupied with French wars, crusades, or domestic rebellions, to find leisure for making any determined and sustained effort to complete the reduction of the country; and the fierce and independent spirit of the English settlers disdained all but a nominal subordi-

* Hallam's Const. Hist., vol. iii., p. 465.

† Plowden, vol. i., p. 34.

nation to the royal authority, by which they knew that their encroachments and tyranny would be restrained.* The kings of England, it has been already said, were conscious that their sovereignty over Ireland, imperfect as it was, could only be maintained by these proud and rapacious chiefs, and they were therefore compelled to deal with them in a spirit partly of menace, and partly of connivance, the effect of which was to leave all real power in their hands. The circumstances of the two countries, perhaps, rendered such a state of things inevitable; but certain it is, that none could be more anomalous in character, or more disastrous to Ireland, and it is my object, in this brief sketch, to show that the state in which Ireland was, the moral condition of the people, and their temper and disposition towards the British connexion, were the result (and the only result that could be expected) of the treatment which they experienced at the hands of the English government; however that treatment may have been the effect of untoward circumstances rather than of the deliberate policy of the superior state. The actual condition of the country was this:—the Anglo-Irish colony was fed by a constant succession of fresh adventurers, who, owning a nominal allegiance, acted in a spirit of real independence of the British crown; the whole island was in a state of incessant

* "England," says Sir J. Davies, "never sent over sufficient either of men or treasures to defend the Pale, much less reduce that which was lost, or finish the conquest of the island."—*Tracts*, p. 69.

warfare—these turbulent barons were perpetually quarrelling and fighting. The Irish chieftains, when not engaged in defending themselves against the English, were always at war with each other; and as the vanquished party in these feuds generally invoked the assistance of some powerful Englishman, alliances were frequent between English lords and Irish kings, without, however, such temporary connexions leading to any amalgamation of the two races, or any mitigation of international hostility. Though the English lords were frequently in rebellion against the king's authority, whenever that authority was put forth in earnest it was always found sufficient to crush the offender: and the more easily, because rivals were never wanting to take part in his overthrow, and claim a share in the distribution of his spoils. In the midst of all this confusion and anarchy the only thing which savoured of steadiness and consistency was the uniform practice of the English settlers to oppress and plunder the natives, and enrich themselves at their expense; and so far from being desirous either to pacify or civilise the country, their systematic object was to prolong those desolating wars and feuds, which supplied the means, as well as the pretext, for confiscation. The policy of the English government it is not very easy to describe, because it fluctuated with the circumstances of the times, or the disposition of the reigning monarch; but it appears to have been generally formed upon a calculation of the most effectual

mode of maintaining its own precarious authority. The history of that period exhibits a vast confusion, and the influence of different interests and passions, operating in various ways, almost always violently, and seldom beneficially, on the whole mass of society; and all that appears certain is, that Ireland partook less than any country in western Europe of the improvement which was in progress between the twelfth and sixteenth centuries.

It has been already seen that the greater part of the native chiefs submitted to Henry the Second; but having originally stipulated for the use of their own laws, they afterwards found that they were excluded, in consequence, from the pale of English justice, and regarded as aliens, if not enemies, in our courts.* As long as they were able to preserve their independence, this was of little moment; but as the English power at various periods made itself very sensibly felt, even in the remotest districts, many of the Irish soon began to perceive that it was a great object to them to place themselves within the protection of the English law; accordingly, letters of denization were granted from time to time to many individuals of Irish descent, which gave them all the privileges of English subjects; and these were granted without any difficulty by the English government, or those who represented it in Dublin.† The general establishment of the English laws, the protection they

* Hallam, vol. iii., p. 468.

† Ib. vol. iii., p. 469.

afforded, and the allegiance they involved, would have bestowed an immense benefit on the country, and have had the most powerful effect in extending the blessings of civilisation and improvement; but the same reasons which made this boon so desirable for the natives, rendered it very unpalatable to the English lords: and as this is one of the most important points of Irish history, and one of the circumstances which had the most fatal influence upon the destinies of the country, it deserves to be considered with particular attention. In 1278, the first instance occurred of a general application for permission to live under the English law, and 8000 marks were offered for this favour.* The king (Edward the First) was disposed to grant it, and commanded Ufford (the justiciary) to summon a parliament for the purpose of considering the petition and making a bargain with the petitioners: but it was the interest of the men in power to oppose the gradual coalition of the Irish and English races, which by pacifying and composing the country, would have arrested the free course of their oppressions, and counteracted their rapacious designs. Accordingly a convention of the barons was evaded by a variety of subterfuges and pretences, which, when the king was engaged in more urgent affairs, were found sufficient to frustrate his wise and beneficent

* Mr. Hallam says, it probably proceeded from some of the small septs dwelling amongst the colonists.

intentions. Two years afterwards the application was renewed, and this time the king peremptorily commanded that a parliament should be summoned, and his mandate obeyed. It is doubtful whether the parliament ever assembled, and, if it did, by what expedient the obnoxious concession was got rid of; but it is certain that the Irish did not obtain the relief they so earnestly sought.*

In the reign of Edward the Third, and in an interval of tranquillity, a petition was presented to the king, praying that all distinctions might be abolished, and a general naturalisation act be granted, to supersede the necessity of particular letters of denization: but the great English lords, who exercised all manner of royal jurisdiction, and pretended to be the proprietors of all the lands, resisted every attempt to admit the Irish to a participation of our laws and constitution.† The Irish who inhabited the conquered lands were in the condition of slaves and villeins, and, as such, were more profitable to their lords than if they had been free subjects of the king. They therefore opposed this approximation to a union, because it “would have abridged and cut off a great part of their greatness: they persuaded the King of England that it was unfit to communicate the lawes of England unto them, that it was best policie to hold them as aliens and enemies, and prosecute them with a continual

* Leland, vol. i., p. 243.

† Plowden, vol. i., p. 38.

warre : the troth is, that those great English lords did to the uttermost of their power crosse and withstand the enfranchisement of the Irish, for the causes before expressed, whence I must still clear and acquit the crown and state of England of negligence or ill-policy.”*

The rejection of the Irish *parliament* of the respectful supplication which had been offered to the crown of England, excited a deep resentment, and was the immediate cause of an insurrection, projected with unusual concert, and executed with greater violence, than had been for some time experienced.†

The reflections of Sir John Davies depict the policy of the English Government to Ireland in a manner equally striking and comprehensive :—“ I note as a great defect in the civil policy of this kingdom, that for the space of 350 years after the conquest first attempted the English laws were not communicated to the Irish, nor the benefit and protection thereof allowed to them, *though they earnestly desired and sought the same* ; for as long as they were out of the protection of the law, so as every Englishman might oppress, spoile, and kill them without controulment, howe was it possible that they should be other than outlaws and enemies to the crown of England ? If the king would not admit them to the condition of subjects, how could they learn to obey him as

* Davies's Tracts, p. 102.

† Leland, vol. i., p. 290.

sovereign?" The concluding sentence of this passage was equally descriptive and prophetic:—"In a word, if the English could neither in peace govern them by lawe nor could in warre root them out by the sword, must they not needs be prickles in their eyes, and thornes in their sides, until the world's end?"

Notwithstanding the unceasing conflicts between the English and the natives, great numbers of the former had not only fallen away from their obedience, but had become mere Irish in their language, dress, and customs; rejecting the English laws, and adopting the Irish, with whom they contracted many marriages and alliances. It was chiefly to correct this degeneracy, as it was considered, that the parliament of Kilkenny was held in 1366. The two estates sat together, and passed the ordinance known as the Statute of Kilkenny.* The severe penalties by which this act was enforced had a considerable effect in restraining and reforming the old English; but it contained no provision calculated to conciliate the Irish, or mitigate the evils of their condition. Accordingly the country was very soon embroiled in

* "Alliances by marriage, nurture of infants, and gossipred with the Irish, are made High Treason. Again, if anie man of English race should use an Irish name, Irish language, or Irish apparell, or any other guise or fashion of the Irish, of his head-lands or tenements, the same should be seised till he had given security to conform himself in all points to ye English manner of living."—*Davies's Tracts, Plowden*, vol. vi., p. 41.

fresh disorders, and during the whole reign of Edward the Third the state of Ireland continued to deteriorate, and the English interest to decline. The king was too much occupied by foreign conquest to be able to attend to Irish affairs, and when he did interfere, it was generally by some odious act of violence or extortion. Incessant hostilities prevented the introduction of all the arts which contribute to comfort or refinement. Foreigners would not venture where they were so insecure and unprotected; and the new adventurers, who were constantly passing over from England, increased the dissensions, without contributing to the improvement of the country. For 200 years (from this period to the reign of Henry the Eighth) the history of Ireland presents the same revolting spectacle, varied only by the rise and fall of the great families of the Desmonds, the Ormonds, and the Kildares, as they successively vanquished or supplanted each other. The bulk of the people continued in the same state of degradation, turbulence and proscription, never completely subdued, and always miserably oppressed.

The reader of Irish history will find many examples of the English law having been imposed upon rebellious chieftains, or treaties concluded with others for its introduction into their territories; and this may appear inconsistent with the fact (on which so much stress has been laid) of the systematic refusal of the English government to take the Irish within the pale

of its legislation; but two things, quite distinct, are comprehended within the general term of English law. The Irish considered that the grant and the reception of the English laws involved the correlative duties of protection on one side, and allegiance on the other. The English lords had no objection to accept their allegiance, but had no notion of affording them protection. What they desired was, that the Irish should renounce the Brehon law, abandon their ancient customs, and adopt those of England. The custom (peculiar to Ireland) of giving out children to be nursed by fosterers, called gossipred, cemented the ties which united the different tribes, and the feudal connection between the chiefs and the people. The foster children were more attached to, and beloved by, their foster parents, than their natural kindred; and, instead of those of higher rank feeling degraded by their fraternity with the children of low degree, the latter felt elevated by the connection to the level of the former. Swift's ballad of "O'Rourke's Feast" gives a good notion of the sentiment of the foster brother :—

" O'Rourke's noble feast
 Shall ne'er be forgot,
 By those who were there
 Or by those who were not.

The Earl of Kildare,
 And Moynalta his brother :
 So proud as they are,
I was nursed by their mother."

To prevent the fraternising effects of fostering, an act was passed in the 28th Henry the Eighth, making it treason for any of the King's subjects to marry, or foster themselves, or their children, with any Irish persons not being the king's true subjects, &c.

The reign of Henry the Eighth opens a fresh and important chapter of Irish history; and it may be here worth while to anticipate a question not unlikely to be asked, "What have these ancient and forgotten grievances to do with the present state of Ireland, and the questions now in agitation?" It is in my opinion impossible to form a fair and impartial judgment upon Irish affairs, or to arrive at sound conclusions upon present political questions, without knowing, and keeping studiously in view, the whole course of Irish history. It has been I think demonstrated, that the social and political condition of Ireland, its ignorance, disaffection to England, and its moral and intellectual backwardness, were attributable to the selfish policy and misrule of its English lords and masters. Those events, therefore, are linked with succeeding transactions in such an unbroken chain of connection, that it is indispensable to exhibit and explain them as forming part of a constant succession of causes and effects.

In the reign of Henry the Eighth such vigorous and successful measures were adopted for extending the royal authority, and the Irish chieftains were so

generally inclined to submission and obedience,* that if a policy at once just and firm had then been adopted towards the natives, it is reasonable to believe that order would have been established, and peace and security have led to civilisation and improvement: but fatally at this time a new and fruitful source of division and disorder arose in the shape of religion. As soon as Henry the Eighth had procured the acknowledgment of his supremacy in England, he proceeded to establish it in Ireland.† The authority of the government did not at this time extend beyond the Pale, or about twenty miles round Dublin. In the parliament which was assembled every precaution was taken to secure a subservient majority, and the Act of Supremacy was accordingly passed; though not without an opposition so violent, that it was deemed prudent to rest satisfied with a silent acquiescence in its provisions, and it certainly never was enforced in the same manner as in England.‡ This was the first

* The general submission of the Irish dynasts and princes did not take place till quite the end of this reign.

† Hallam, vol. iii., p. 486.

“It was long before the authority of the crown was completely substituted for that of the Pope, and the ecclesiastical appointments continued very irregular, between 1536 and 1547. Three bishops (Clonmacnoise, Down, and Clonfert) were appointed by Pope Paul the Third, who were all confirmed by Henry the Eighth on their plighting submission to him. In one instance, when there were rival appointments by the Pope and the King, the Pope’s presentee got the better of the King’s, and kept possession of the see.”—*Mant’s History of Irish Church*, vol. i., p. 168-9.

‡ Lord Clare’s Speech on the Union.

attempt that was made to introduce the Reformation into Ireland. "In every other nation (says Lord Clare) the establishment of the reformed religion has been the result of inquiry and conviction ; but Ireland was sunk below the reach of curiosity and speculation, and it was equally hopeless and impolitic to call upon the people to abjure the religion of their ancestors, and to subscribe to new doctrines they were utterly incapable of understanding."*

In England, Henry had comparatively little difficulty in the accomplishment of his will. The tame and terrified subserviency of all classes of his subjects procured an almost universal submission to those measures of reformation, which were in fact by no means unpalatable to the majority of the nation. The only very eminent men who rejected the supremacy were Fisher and More ; and though one was the most illustrious statesman in the kingdom, and the other the man whom the king was most bound to regard with reverence and affection, without the slightest scruple or touch of remorse he sent them both to the block. Nothing is more marvellous than the fact (for fact I think it is) that this sensual, bloody, and capricious tyrant, was not an unpopular king. He was not indeed beloved, but he was feared, respected, and obeyed by his subjects ; and the only way of accounting for this is, that his religious reforms or alterations, by which the Papal power was over-

* Lord Clare's Speech on the Union.

thrown, while the principal doctrines of the Catholic faith were retained, were really congenial to the wishes and feelings of the great mass of the English people. But in Ireland it was a very different matter: the whole nation both within and without the Pale were Catholics,* and the Reformation, with its train of new doctrines, was utterly unknown. Browne, an Augustine Friar, was appointed archbishop of Dublin, and sent over to establish "the king's supremacy;" but he found that he himself, with the ministers and immediate dependents of the court, were the only Protestants in the country. Some rough but ineffectual attempts were made to introduce the new doctrine, not by persuasion and instruction, but by force; and a hot and bitter contest arose between the archbishop of Dublin,† and Cromer the primate and archbishop

* Plowden, vol. i., p. 53, 58.

† Browne soon fell into disgrace with the king, who ascribed to his negligence the small progress which the Reformation made in Ireland. Henry's letter to his archbishop is highly characteristic. After telling him all that he had expected from his zeal, he proceeds as follows:—"Yet nevertheless, as we do both partly perceive, and partly by sundry advertisements and ways be informed, the good opinion we had of you is in a manner utterly frustrate; for neither do ye give yourself to the instruction of our people there in the word of God, nor frame yourself to stand us in any stead for the furtherance of our affairs. Such is your lightness of behaviour, and such is the elation of your mind in pride, that glorying in foolish ceremonies, and delighting in *we* and *us*; in your dream comparing yourself so near to a prince in honour and estimation, that all virtue and honesty is almost banished from you. Reform yourself, therefore, with this gentle advertisement; and we shall put your former negligence in oblivion. . . . If this will not serve to induce you to it, but that you will

of Armagh, who resisted with great spirit such impious innovations. This dispute, the plunder of churches and monasteries, and the desecration of their sacred ornaments as objects of superstitious idolatry, were the only modes in which the Reformation was presented to the Irish. Hitherto, though enemies in race, the English and the Irish had been united in a common religious faith, and were members of the same church; but, to borrow the language of Burke, "it will not be foreign to our purpose to take a short review of the extraordinary policy which has been held with regard to religion in that kingdom. From the time our ancestors took possession of it, the most able antiquaries are of opinion, and Archbishop Usher has, I think, shown, that a religion not very remote from the present Protestant persuasion was that of the Irish before the union of that kingdom to the crown of England. If this was not directly the fact, it at least seems very probable that Papal authority was much lower in Ireland than in other countries. This union was made under the authority of an arbitrary grant of Pope Adrian, in order that the church of Ireland should be reduced to the same servitude with those which were nearer to his see. . . . What is extraordinary is, that for a very long time, even quite down to the Reformation, and in their most solemn

still so persevere in your fond folly and ingrate ungentleness, that ye cannot remember . . . that we be able for the non doing thereof, to put another man of more virtue and honesty in your place, &c."—*Mant's Hist. of Irish Church*, vol. i., p. 126.

acts, the kings of England founded their title only on this grant. They called for obedience from the people of Ireland, not on principles of subjection, but as vassals and mesne lords between them and the popes; and they omitted no measure of force or policy to establish that Papal authority, with all the distinguishing articles of religion connected with it, and to make it take deep root in the minds of the people. When by every expedient of force and policy, by a war of some centuries, by extirpating a number of the old, and by bringing in a number of new people full of those opinions, and intending to propagate them, they had fully compassed their object, —they suddenly took another turn, commenced an opposite persecution, made heavy laws, carried on mighty wars, inflicted and suffered the worst evils, extirpated the mass of the old, brought in new inhabitants, and continue at this day an oppressive system. To eradicate opinions which for 400 years they had been endeavouring by the same violent means to establish. They compelled the people to submit to the pope's authority in its most extravagant and unbounded sense; and now they refuse to tolerate them in the most moderate and chastised sentiments concerning it! No country since the world began has suffered so much on account of religion, or been so variously harassed both for popery and protestantism.”*

* Tracts on the Popery Laws, p. 374, 377.

The language and sentiments of this great man are so fraught with wisdom, liberality, and justice, that the strongest arguments that can be found in support of my own views, are those which his writings furnish. The people could hardly fail to be plunged in astonishment and horror, when they suddenly found their ancient religion attacked and reviled; and when, without any better reason than the declared will and pleasure of the English despot, they were commanded to transfer their spiritual allegiance from the pope to himself.—“If the people are in error,” says Mr. Burke, “to inform them is not only fair but charitable; to drive them, to attempt to eradicate, by violence, a wide-spreading and established religious opinion, is a strain of the most manifest injustice.” Accordingly, such measures produced their natural results:* the people were confirmed in their allegiance to the pope, as well

* Nothing can be more striking and true than the description which Lord Clare, in one of his admirable speeches, gives of the feeling of the Irish people with regard to the Reformation and its causes:—“That the people of this country have been uniformly and unalterably devoted to the Popish faith is a truth too notorious to be disputed; while the other nations of Europe were engaged in religious controversy and innovation, they were in a state of barbarism and ignorance; old habits of licentious power had long engaged them in acts of resistance to the British power, and therefore the example of the English settlers would alone have been sufficient to make the Reformation odious; but from the first moment the Act of Uniformity was promulgated in the country, the habitual aversion of the nation to the English name and nation, heated by religious antipathy, became savage and inveterate.”—*Speech on Catholic Relief Bill, March 15, 1793.*

as their attachment to the Catholic faith; and the violence of religious bigotry was superadded to the old festering sore of national antipathy.

On the accession of Edward the Sixth, the Protector Somerset determined to introduce the Liturgy of the Church of England into Ireland; but the attempts* that were made during this short reign to advance the Reformation were so soon counteracted, and all innovations done away with by his successor, that both these reigns may be passed over without further comment.

It is impossible to imagine a more difficult task than that which devolved upon Elizabeth when she succeeded to the throne; and it is necessary to bear in mind the maxims of ecclesiastical government which universally obtained in those days, in order to form a fair judgment of her policy. It was held to be the duty of the state to maintain the true religion, and its right to determine what was the truth: accordingly, the prudent and sagacious men who drew up the formulas of religious belief, felt the expediency of making them comprehensive and elastic, in order to draw the greatest possible num-

* The attempts seem to have been very slight. "No parliament was called during this period; and no efforts are recorded to have been made either by the English or Irish government. . . . The majority of the bishops as well as the inferior clergy, were decidedly attached to the popish creed and practice."—*Mant*, vol. i., p. 188. In this reign, also, the king confirmed a bishop whom the pope had appointed.—*Ib.* vol. i., 190, and vol. ii., p. 221.

ber within the pale of the new establishment; and it was with this view that the Articles and Liturgy were framed, rather than upon a rigorous conviction and demonstration of the absolute truth of all the doctrines which they expressed or implied. Toleration was a principle, at that time, unknown and unthought of: as soon, therefore, as the Queen had fixed the Protestant Church on a stable basis in England, she proceeded, as a matter of course, to do the same in Ireland. A parliament was held, which, as usual, was packed by the management of the court; the ecclesiastical laws of supremacy and conformity were enacted; the book of Common Prayer was substituted for the mass; all were bound to attend the public worship, and every other was interdicted.* To us, at the present day, and with our notions, it is difficult to say whether the absurdity or the injustice appears the greater, of thrusting down the throats of a whole community, a religion which they regarded not only with disbelief but with abhorrence.

“An ecclesiastical establishment,” says Mr. Hallam, “can have no advantages relatively to the community

* Hallam, vol. iii., p. 488.

“And,” says Lord Clare, “what seems to be a solecism in the history of legislation, in the body of the act, by which the use of the English Liturgy, and a strict conformity to it, are enjoined under severe penalties, a clause is introduced, reciting, that English ministers cannot be found to serve in Irish churches; that the Irish people did not understand the English language; that the church service cannot be celebrated in Irish, as well for the difficulty of getting it printed, as that few in the realm can read.”—*Speech on the Union*.

where it exists, but its tendency to promote good order and virtue, religious knowledge and edification;—but to accomplish this end, it must be the choice of the people, and not merely that of the government—it should exist for the people, in the people, and with the people. This, indeed, is so manifest, that the government of Elizabeth never contemplated the separation of a great majority as licensed dissidents from the ordinances established for their instruction. It was presumed that the church and commonwealth were two denominations of the same society,* and that every man in Ireland who appertained to the one, ought to embrace, and, in due season, would embrace, the communion of the other;—there might be ignorance, or obstinacy, or feebleness of conscience, for a time—but that the prejudices of a majority should ultimately prevail, so as to determine the national faith; that it should obtain even a legitimate indulgence, for its own mode of worship, was abominable before God, and incompatible with the sovereignty.”†

Such reasoning as this was unquestionably conformable to the prevailing maxims; and the government of Elizabeth is less obnoxious to censure for forcibly establishing the Protestant religion in Ire-

* “We hold that there is not any man of the Church of England but the same man is also a member of the commonwealth, *nor any man a member of the commonwealth which is not also of the Church of England.*”—*Hooker's Eccl. Pol.*, b. viii., c. 1, 2.

† Hallam, iii., 490.

land, than for the omission of all the moral appliances, and all the reasonable means, which might have afforded it a chance of success. No systematic plan was ever adopted for conciliating the Irish, for administering the civil government in a spirit of justice and humanity, and for promoting the cause of the Reformation by such methods of instruction as might render it intelligible and acceptable to the people.* On the contrary, a deputy, who was disposed to treat them with benignity and moderation, was sure to be discountenanced, and probably disgraced—and the effect of the ecclesiastical measures was, the destruction of a Catholic, without the substitution of a Protestant, church—the church was in ruins—the people had no benefit from any spiritual establishment of any kind—and religion itself, instead of being a blessing, became the curse and the torment of the land.

One of the ablest and best of the English viceroys was Sir John Perrot. He had induced an unusual disposition to loyalty, and had diffused a spirit of submission to the English laws among the native Irish. The success of his endeavours to conciliate the Irish chiefs, and the tranquillity which his moderation had produced, encouraged him to form

* “As for religion, there was but small appearances of it ; the churches uncovered, the clergy scattered, and scarce the being of a God known to those ignorant and barbarous people.”—*Report to Privy Council in 1565.*

extensive schemes of reformation and improvement. But the queen was averse to plans which would have been attended with expense ; and some of her counsellors represented that “if the country was reduced to order and civility it would acquire power, consequence, and riches ; the inhabitants would be alienated from England, and throw themselves into the arms of some foreign power, or erect themselves into an independent state : *it was better*, therefore, to connive at their disorders, as a weak and disordered people could never detach themselves from the crown of England.”* These maxims found favour in the councils and parliament of England ; the wise and beneficent government of the viceroy, and his regard for the rights of the native Irish, only exposed him to suspicion and reproach : in the end he grew impatient of the malice and ingratitude which he experienced, and petitioned the queen to relieve him from a burthen which the perverseness of her subjects of the English race rendered intolerable.†

Such was the system of government : and the state of religion will appear from a letter addressed by Sir Henry Sidney to the queen in 1575. After alluding to his “discourses on the condition of the provinces,” he proceeds :‡ “And now, most dear Mistress and most honoured Sovereign, I address

* Leland, vol. ii., p. 291.

† Ib. vol. ii., p. 320.

‡ The spelling is modernised.

to you, as to the only sovereign salve given to this your sore and sick realm, the lamentable state of the most noble and principal limb thereof, the Church I mean, as foul, deformed, and cruelly crushed, as any other part thereof. I would not have believed, if I had not for a great part viewed the same throughout the whole realm, and was advertised in the bishopric of Meath (the best inhabited county in all this realm) to Mr. Hugh Bradie, a godly minister of the gospel, who went from church to church himself, and found that there were within his diocese 224 parish churches, of which 105 are impropriated to sundry possessions now of your highness, and all leased out for years, or in fee-farm, and great gain reaped out of them above the rent which your majesty receiveth. No parson or vicar resident on any of them, and a very simple or sorry curate for the most part appointed to serve therein; among which curates only eighteen were found able to speak English; the rest Irish priests, or rather Irish rogues, having very little Latin, less learning or civility. . . . In many places the very walls of the churches down; very few churches covered; windows or doors ruined or spoiled. There are fifty-two other parish churches in the same diocese which have vicars better served or maintained than the others, but badly. There are fifty-two more which pertain to divers particular lords, and these, though in better estate, yet far from well. If this be the

estate of the church in the best peopled diocese, it is easy for your majesty to conjecture in what case the rest is, where little or no reformation, either of religion or manners, has yet been planted. . . . If I should write unto your majesty what spoil hath been, and is, of bishoprics and bishoprics, partly by the prelates themselves, partly by the potentates, their noisome neighbours, I should make too long a libel of this my letter ; but your majesty may believe that on the face of the earth there is not a church in so miserable a case.”

Such was the condition of a church which was half a century before rich and flourishing, an object of reverence, and a source of consolation to the people. It was now despoiled of its revenues ; the sacred edifices were in ruins :* the clergy were either ignorant of the language of their flocks, or illiterate and uncivilised intruders ; and the only ritual permitted by the laws was one of which the people neither comprehended the language, nor believed the doctrines :—and this was called “*establishing a reformation.*”

The reduction of the island was just completed

* Spenser says, in his “*View of the State of Ireland,*” “*Whatever disorders you see in the Church of England you may find in Ireland as many more, namely, gross sinning, greedy covetousness, fleshly incontinency, careless sloth, and generally all disordered life in the common clergyman ;*” “*they live like laymen, neither read the scriptures, nor preach, nor administer the communion ; baptism they do, and take tythes and offerings,*” &c.

(by the suppression of Tyrone's rebellion) at the death of Elizabeth. The reign of James the First was the real era of connection between the two islands. He found resistance broken down, and the English law acknowledged;* and it was his object to establish throughout the whole island the reformation which his predecessors had only been able to extend to the churches or districts within the pale. It was reported, when James first came to the throne, that he was not unfavourable to the Catholics, and these reports encouraged the people in various parts to infringe the laws by the public exercise of their religion. After some fruitless remonstrances, this boldness was put down by the firmness of the deputy (Mountjoy), and soon after the king issued a proclamation in which he declared he would admit no liberty of conscience, and this announcement was followed by measures of great severity against the delinquents.†

Ireland,‡ before the time of James the First, had no regular government or parliamentary constitution: and he laid the foundation of the existing establishments in church and state, in both of which the Puritans soon obtained a great ascendancy.§ At

* At the end of Elizabeth's reign, "the act of uniformity ceased to be enforced, and the violation of it was connived at when popery resumed its ascendancy over the populace."—*Mant*, vol. i., p. 338.

† Plowden, vol. i., p. 100.

‡ Lord Clare's Speech on the Union.

§ Plowden, vol. i., p. 101.

James's accession there were hardly any Protestants among the old inhabitants of English blood, and none at all among the native Irish: * the distinctions, however, of English and Irish, were nearly effaced by those of Protestant and Papist, and ever since, the whole nation has clung to the Popish faith as a common bond of union, and pledge of animosity† against England. The physical strength of the country being thus arrayed against the English colony and government, the latter were compelled to treat the old inhabitants as a conquered people, and to govern them by an English and Protestant connection. Such is the account which Lord Clare gives of the spirit of James the First's government,‡ and such, perhaps, the circumstances unavoidably and of necessity made it. The Puritan party, which had now got the upper hand, was inflamed with hatred and bigotry against the Catholics, and the first act of the Parliament, convened in 1605, was to express their indignation at the indulgence which had

* Gheogegan says, that during the reigns of Henry the Eighth, Edward the Sixth, Elizabeth, and James the First, not sixty of the Irish embraced the Protestant religion.—*Histoire d'Irlande*, vol. iii., p. 422.

† Lord Clare's Speech on the Union.

‡ The *professed* policy of James the First was to unite the inhabitants and abolish all odious distinctions; the *real* policy of his ministers and their successors, was to distinguish them into two parties, that of loyal and affectionate subjects, containing only the late adventurers and servants of the crown, and that of the disaffected and dangerous, containing all the rest of the inhabitants.—*Leland*, vol. iii., p. 88.

been shown to them, though it is not easy to discover in what that indulgence consisted.*

Religious parties ran so high, that "the Reformers looked with abhorrence on the partisans of idolatry, while the Romanists, with equal rancour, inveighed against heresy and apostacy."† The proceedings of the dominant party corresponded with their sentiments; confiscation was the order of the day; commissions were appointed to inquire into titles to land;‡ obsolete claims were revived, and advantage taken of trivial flaws and informalities. "There are not wanting proofs," says Leland, "of the most iniquitous practices, of hardened cruelty, of vile perjury, and scandalous subornation employed to despoil the fair and unoffending proprietor of his inheritance." The seed that was thus sown produced its natural fruit: an uninterrupted course of vexatious oppression on one side created on the other, a determination to rise against the oppressors whenever a fit opportunity for so doing should present itself.§ They bided their time, and in 1641 that time arrived; they made one wild and desperate effort to recover their freedom; it was the *iræ leonum vincla recusantum*—it was the out-pouring of an

* Plowden, vol. i., p. 102.

† Leland, vol. ii., p. 439.

‡ It was notorious in many instances, that the possessors had no legal titles to their lands, therefore, there was some ground for the proceeding, if it had been fairly conducted.

§ Plowden, vol. i., p. 112.

accumulation of national and sectarian hatred. They rose, and perpetrated that dreadful massacre, which was afterwards so fearfully revenged—which has been the eternal reproach of the Catholics, and has furnished an excuse for all the severities and privations that have since been inflicted upon them.

Many, however, fancied that this insurrection was unprovoked, inasmuch as the Catholics had been treated with peculiar indulgence during the reign of Charles the First. The arbitrary but vigorous administration of Strafford had, indeed, produced an unusual obedience and tranquillity, but the spirit of the government was always the same: the people continued to profess and to exercise their ancient religion, but the government, though they never attempted by persuasion, by the diffusion of knowledge, or by any of the arts of superior civilisation to spread the reformed faith amongst them, never failed to disturb and persecute the Catholics whenever they could, and as severely as they dared—all they cared for, was to enforce an outward conformity, with or without an inward conversion. Charles, who never was sincere or true in any transaction of his life, began by evincing some disposition to favour the Catholics, which proved so displeasing to the Protestants, that it was very soon abandoned: the penal laws* were ordered to be rigidly enforced, and directions were given to provide for the army by

* Plowden, vol. i., p. 117.

finer, imposed on the Catholics, for not attending the Protestant worship.* When Strafford arrived in Ireland, he found the church pretty much in the condition described by Sir Henry Sidney, in 1575†; and Bishop Bedell says, “that the English had all along neglected the Irish as a nation, not only conquered, but undisciplinable, and that the clergy had scarce considered them as a part of their charge, but had left them wholly in the hands of their own priests, without taking any other care of them, but the making them pay their tithes.”‡

The same excellent prelate (in a letter to Laud) gives an account of his diocese, which is of itself sufficient to account for the slow progress of the Reformation. “The revenue had been wasted by excessive dilapidations, and all sacred things exposed to sale in so sordid a manner, that it was grown to a proverb. The cathedral church of Ardagh, and the bishop’s house, down to the ground;—the parish churches ruined, unroofed, and unrepaired:—the people (saving a few British planters here and there) obstinate recusants;—a Popish clergy more numerous by far than we, and in full exercise of all jurisdiction

* Plowden, vol. i., p. 117.

† Strafford effectually reformed the church; he restored its revenues, and provided against their future alienation. The Irish articles of religion were virtually (though not formally) abrogated by the establishment of the English, and from that time the two churches held the same doctrinal tenets.

‡ Burnet’s Life of Bedell, p. 156.

ecclesiastical. For our own, there are seven or eight ministers in each diocese of good sufficiency, and (which is no small cause of the continuance of the people in Popery still) English, which have not the tongue of the people, *nor can perform any divine offices, or converse with them.* His Majesty is now, with the greatest part of this country, as to their hearts and consciences, King, but at the Pope's discretion."*

I cannot pass over this period without some more particular notice of Usher and Bedell, who (with the sole exception of Strafford) were by far the most distinguished of all those who were engaged in Irish affairs. They were both men of consummate abilities and of profound erudition, though Usher was probably the more learned of the two; but the character of Usher is beautifully drawn by the biographer of Bedell. "Together with his great and vast learning," he says, "no man had a better soul and a more apostolical mind—in his conversation he expressed the true simplicity of a Christian; for passion, pride, self-will, or the love of the world, seemed not to be so much as in his nature. So that he had all the innocence of the dove in him. He had a way of gaining people's hearts and touching their consciences, that looked like somewhat of the apostolical age revived. He spent much of his time in those two best exercises—secret prayer, and dealing

* Life of Bedell, p. 120.

with other people's consciences, either in his sermons or private discourses, and what remained he dedicated to his studies, in which those many volumes that came from him showed an amazing diligence and exactness, joined to great judgment, so that he was certainly one of the greatest and best men that the age, or perhaps the world, has produced."* This excellent person, however, vigorously opposed the design of granting a more full toleration to the Irish papists; and when the Deputy Falkland called an assembly of the whole nation, Protestants and Papists, for the consideration of that point, the bishops were assembled by the Primate at his own house, when they subscribed a protestation against toleration. But there is reason to think that Bedell, though not less sincere and zealous for the Protestant faith, was of a more tolerant disposition, for it is certain that no man was ever more beloved and respected, even by the Roman Catholics. When the fearful storm of 1641 broke out, "there seemed to be a secret guard set about his house, for though there was nothing but fire, blood, and desolation round about him, yet the Irish were so restrained as by some hidden power, that they did him no harm for many weeks: his home was in no condition to make any resistance, so that it was not any apprehension of the opposition that might be made them that bound them up."† The rebels seemed to be overcome with his exem-

* Life of Bedell, p. 141.

† Ib. p. 191.

plary conversation among them, and the tenderness and charity he had on all occasions expressed for them, and they often said he was the last Englishman who should be put out of Ireland. They sent him word that they loved and honoured him beyond all the English that ever came to Ireland, because he had never done wrong to any, and good to many. When they took him into custody, his jailors told him that they had no personal quarrel to him, and were only so severe because he was an Englishman ; and, when he died, they suffered him to be buried (according to his desire) in his own churchyard, and proposed to his friends to use at the funeral the office of the Protestant church, which they from motives of prudence declined. But the Irish did him unusual honours, and the chiefs of the rebels gathered their forces together, and accompanied his body in great solemnity, discharging a volley over his grave, and crying out “ *Requiescat in pace, ultimus Anglorum.*” * These particulars illustrate the prevailing principles and opinions of that period, when such a man as Usher could not be brought to endure the idea of a toleration ; and they likewise showed that the Irish, rebels and Catholics as they were, even in the midst of their terrible and frantic outbreak, could be gentle and grateful to a Protestant and a bishop, who had treated them with humanity and kindness.

* Life of Bedell, p. 210.

I am not pretending to narrate the history, still less the details, of English oppressions and Irish sufferings, but merely endeavouring to demonstrate by the testimony of historical witnesses of unquestionable authority, that the condition of Ireland, in all its changes, varieties, and relations with England, has all along, from the earliest times, been the result of English policy, or the work of English power. Instead, therefore, of multiplying examples, and going regularly and circumstantially through the period which succeeded the rebellion, I prefer to give the comprehensive summary of Burke, which really contains the pith and marrow of the case. "For a much longer period," says he, "than that which had sufficed to blend the Romans with the nation to which, of all others, they were the most adverse, the Protestants settled in Ireland considered themselves in no other light than that of a sort of colonial garrison to keep the natives in subjection to the other state of Great Britain. If we read Baron Finglas, Spencer, and Sir J. Davies, we cannot miss the true genius and policy of the English government there, before the revolution, as well as during the whole reign of Elizabeth. Sir J. Davies boasts of the benefits received by the natives by extending to them the English law, but the appearance of things alone was changed—the original scheme was never deviated from for a single hour—unheard-of confiscations were

made in the northern parts, upon grounds of plots and conspiracies, never proved in their supposed authors; the war of chicane succeeded to the war of arms and of hostile statutes, and a regular series of operations was carried on in the ordinary courts of justice, and by special commissioners and inquisitions for the purpose of the total extirpation of the interest of the natives in their own soil, until this species of subtle ravage being carried to the last excess of insolence and oppression under Lord Strafford, it kindled the flames of that rebellion which broke out in 1641. By the issue of that war, and by the total reduction of the kingdom of Ireland in 1691, the ruin of the native Irish, and, in a great measure too, of the first races of the English, was completely accomplished. The new English interest was settled with as solid a stability as anything in human affairs can look for; all the penal laws of that unparalleled code of oppression, which was made after the last event, were manifestly the effects of national hatred and scorn towards a conquered people, whom the victors delighted to trample upon, and were not at all afraid to provoke—*they were not the effect of their fears but of their security*; they who carried on this system, looked to the irresistible force of Great Britain for their support in their acts of power; they were quite certain that no complaints of the natives would be heard on this side of the water with any other sentiments than

those of contempt and indignation. Indeed, in England the double name of Irish and Papist (it would be hard to say which was the most odious) shut up the hearts of every one against them; while that temper prevailed, and it prevailed in all its force to a time within our memory, every measure was pleasing and popular just in proportion as it tended to harass and ruin a set of people who were looked upon as the enemies of God and man, and indeed as a race of bigoted savages, who were a disgrace to human nature itself.” *

From the commencement of the troubles in 1640, Ireland was involved in a complete chaos of intrigues and strife, and if she had possessed energies and leaders worthy of the occasion, the time was ripe for the assertion of her independence. There were three parties struggling for ascendancy: first, the Catholics, disunited, feeble, and presumptuous; secondly, the king, who was all perfidy and perplexity, trying to obtain the assistance of the Irish by promises as ample as the fear of disgusting his own Protestant adherents suffered him to make, and only consistent in his intention to deceive all parties, and keep faith with none; and thirdly, the parliament, acting with that profound wisdom and stern resolution which distinguished them throughout. They troubled themselves but little about Ireland as long as they were engaged in the great contest with the

* Letter to Sir H. Langrishe, vol. vi., p. 339.

king; never doubting that when that work was finished, they should easily suppress the rebellion on the other side of the channel. Cromwell came, saw, and conquered. The war, indeed, lasted a little longer; but after the terrible examples of Drogheda and Wexford, the Irish were struck with an universal panic, and the small remains of resistance were speedily put down. Cromwell was not a cruel man, but his military executions at those two places were as barbarous as any of the atrocities with which the Irish have been reproached. At Drogheda quarter had been promised to all who laid down their arms; but when all resistance was at an end, he gave orders that the garrison should be put to the sword: during five days they were butchered in cold blood; and at Wexford the same scene of carnage was renewed. The fact is, that the sentiments even of wise and good men with regard to the Catholics, and the manner in which it was not merely the right but the duty of Protestants to treat them, were utterly repugnant—and must appear monstrous—to our modern notions of charity and toleration. In justice to our Puritan ancestors, we are bound to remember the principles which they sincerely and conscientiously held; and in equal justice to the Catholics, never to forget the treatment to which they were exposed. When the Marquis of Ormond concluded a treaty with the confederates in 1648, he granted them terms not very unlike those of the

emancipation act of 1829; for which he was reproached with having "ventured to put the finishing hand to the treaty on the following *scandalous* articles."*

But a short summary of the principal articles of Ormond's treaty, and the remarks of Milton upon them, will best exhibit the temper of those times.

By the first, Catholics were to be freed from all penalties for the exercise of their religion, or for not attending Protestant worship; nor to be obliged to take the oath of supremacy, only that of allegiance. "Nevertheless," it goes on, "the lord-lieutenant doth not intend any thing in these concessions shall be construed to extend to the granting of churches, church livings, or the exercise of jurisdiction. . . . Yet he is authorised to give the Roman Catholics full assurance that they shall not be molested in the possession which they have at present of churches, &c., until such time as his majesty, on a full consideration of the desires of the said Roman Catholics in a free parliament to be held in this kingdom, shall declare his pleasure."

8th, All incapacities imposed on the natives of Ireland, as natives, to be abolished.

9th, That in respect to office or employment no difference shall for the future be made between the Roman Catholics and other subjects, but that such

* Neal's History of the Puritans, vol. ii., p. 220.

distribution shall be made with equal indifferency, according to their respective merits and abilities.

34th, That the Roman Catholic regular clergy, behaving themselves conformable to these articles of peace, shall never be molested in the possessions they have at present of monasteries, abbeys, &c.—On which articles Milton comments in these terms :

“As for those articles of peace made with those inhuman rebels and papists of Ireland, . . . we may be persuaded that no true Englishman can so much as barely read them without indignation and disdain. That those bloody rebels, after the merciless and barbarous massacre of so many thousand English (*who had used their right and title to that country with so much tenderness and moderation*) should be now graced and rewarded with such freedom and enlargement, as none of their ancestors could ever merit by their best obedience—which, at best, was always treacherous—to be enfranchised with full liberty equal to their conquerors, whom the just revenge of ancient piracies and captivities, and the causeless infestation of our coast, had warrantably called over : besides what other titles are acknowledged by their own Irish parliament, hard fixed and seated in that soil with as good a right as the merest natives : these, therefore, by their own foregoing dements and provocations being justly made our vassals, are by the first articles of the peace advanced to a condition of freedom supe-

rior to what any English Protestants durst have demanded.”*

Ireton† told Henry O’Neal, when he surrendered at Limerick, that “they (the Catholics) had been treated by the late government, *far beyond their merits, or the rules of reason* ;” and we have seen what that treatment was. Milton says, that “of all known sects or pretended religions, popery is the only, or the greatest heresy.” While, therefore, all Protestants are bound to tolerate one another, though dissenting in some opinions, “popery, as being idolatrous, is not to be tolerated, either in public or in private.” And then, asking “whether they should be punished by corporal punishment or fines on account of their religion,” he gives this cautions and somewhat ambiguous answer: “I suppose it stands not with the clemency of the

* Observations on the Articles of Peace with the Irish Rebels.

† Ireton died in Ireland, and his character is finely described by Ludlow. “The body of the lord deputy Ireton was transported into England, and solemnly interred at Westminster in a magnificent monument at the public charge, who, if he could have foreseen what was done, would certainly have made it his desire that his body might have found a grave where his soul left it, so much did he despise these pompous and expensive vanities ; having erected for himself a more glorious monument in the hearts of good men, by his affection to his country, his abilities of mind, his impartial justice, his diligence in the public service, and his other virtues, which were a far greater honour to his memory than a dormitory amongst the ashes of kings, who for the most part as they had governed others by their passions, so were they themselves as much governed by them.”—(*Memoirs*, vol. i., p. 384.)

gospel, *more than what appertains to the security of the state.*"* Rougher theologians, with swords in their hands, answered this question in another manner. The Catholics were massacred by soldiers, and tortured by civilians; and when a ship-full of Catholics was taken, the Protestant captain had no scruple in casting half the crew (seventy men) into the sea. The whole body of Catholics, therefore, were regarded as rebels and as heretics, whose power the victorious Puritans considered it to be their policy to crush, and whose religion it was their duty to extirpate: and so vigorous and unrelenting were the measures they pursued for this end, that Lord Clarendon declared the sufferings of the Irish had never been surpassed but by those of the Jews in their destruction by Titus.

The native Irish, who survived the general desolation, were ordered to transplant themselves into the province of Connaught, and their possessions, as well as those of all who had supported the king, were

* Of True Religion, Heresy, Schism, and Toleration.

Later still, Locke excepts papists from the toleration he generally recommends—and Locke and Milton are always cited as the great authorities for toleration. Locke, however, excludes them on the ground of the incompatibility of their religious tenets with civil government; and because, "that church can have no right to be tolerated which is constituted on such a bottom, that all those who enter into it do thereby *ipso facto* deliver themselves up to the protection and service of another prince."—*Locke's Works*, vol. v., p. 46.

confiscated, and distributed among Cromwell's soldiers, and the adventurers who had advanced money to defray the expenses of the war; "and thus a colony of new settlers, composed of all the various sects which then infested England, Independents, Anabaptists, Seceders, Brownists, Socinians, dissenters of every description, poured into Ireland, and was put into possession of the ancient inheritances of its inhabitants."* It may seem extraordinary that this policy, with all its tremendous severities, was not more effectual in depopulating the island, or rooting out the Catholic religion: and the case of Ireland has been quoted to prove that persecution must be necessarily unsuccessful, and that a persecuted faith will always thrive under oppression; but as Mr. Lewis † very justly remarks, "this failure has arisen, not because the policy is self-counteracting, but because it was not carried out with sufficient energy and determination; the laws were not severe enough, and were not executed with sufficient energy for their purpose." This was in fact the case; the Protector, from motives of humanity or policy, did not enforce the extreme penalties of the law; the order for transporting the Irish into Connaught was shortly after dispensed with; and when Henry Cromwell was appointed governor,‡ his just and equitable administra-

* Lord Clare's Speech on the Union.

† Lewis, *Irish Church question*, p. 374.

‡ This Governor, who obtained a character for justice and equity,

tion "established his authority in the hearts of the people."*

At the Restoration the Irish began to breathe again, and to flatter themselves that the re-action might bring some relief to their miserable condition. In whatever light they might have been looked upon by the Republicans and Puritans, the king could not regard them as rebels or as heretics, for they had fought for his father and himself to the last, and he secretly professed the same religion as themselves. But Charles, though well enough inclined towards them, was beset with difficulties of his own; bigotry and rapacity both united in opposing any measures of justice to the humbled and dispossessed Irish; and he was not the man to add to his own embarrassments, out of romantic generosity to a fraction of his subjects from whom he had nothing either to hope or to fear. Accordingly, after much difficulty and protracted discussion, in the course of which the rashness and confidence of the Catholic delegates irritated and disgusted the king, he ended by abandoning them to their fate, and an act of settlement was passed, which is thus described by Lord Clare: "Seven millions eight hundred thousand acres of land were let out under the authority of this act to a

was desired by Thurlow to catch up some thousand Irish boys to send to the Colonies. He wrote back that he had done so, and begged to know if his highness chose to have as many girls caught up likewise; and added, "doubtless, it is a work in which God will appear."

* Leland, vol. iii., p. 401.

motley crew of English adventurers, civil and military, nearly to the total exclusion of the old inhabitants of the island, many of whom, who were innocent of the rebellion,* lost their inheritance, as well for the difficulties imposed upon them by the court of claims in the proofs required of their innocence, as from a deficiency in the fund for reprisal to English adventurers.† But while the native Irish were disgusted at the ingratitude they had experienced from the court, the new settlers soon found that their acquisition of so large a portion of the soil, had not mitigated the sentiments of jealousy and antipathy which England had constantly entertained towards Ireland. Rents having fallen in the former country, the people persuaded themselves that the importation of Irish cattle was the cause of the fall, and a bill was passed for a perpetual prohibition of importing cattle from Ireland dead or alive, fat or lean, by which, as the Irish had no manufactures, and, from the want of shipping, no foreign commerce, they were reduced to the greatest distress. Such was the absurd fury of the English about these cattle, that when, after the fire of London, the Irish proprietors made a contribution of 30,000 beeves for the relief of the sufferers,

* Mr. Hallam says, "it is more easy to censure the injustice of the Act of Settlement than to point out what better course could have been adopted." It was certainly a very rough adjustment, 3000 of the Irish were cut off without a hearing, but the majority of them, Mr. Hallam thinks, were undoubtedly guilty.—Vol. iii., p. 527.

† Lord Clare's Speech.

this act of charity, instead of exciting any sentiment of gratitude, was interpreted into an insidious attempt to defeat the provisions of the prohibitory act.* During the whole of this reign the Irish Catholics certainly evinced no disposition to acquiesce tamely in the humiliation and losses to which they had been subjected, and they were continually looking forward to the revocation of the act of settlement, and the removal of their religious restrictions, both which objects seemed far from hopeless with such a king as Charles, and such an heir-presumptive as James.

The Popish plot, however, which excited a frenzy of rage and terror in England, naturally produced still more violent effects in Ireland, where the Roman Catholics were so numerous, and the Protestants were animated with such an habitual aversion towards them. The Duke of Ormond, now lord lieutenant, adopted strong measures of severity, though not sufficiently rigorous to satisfy the zeal of the Protestants. Popish ecclesiastics were ordered to depart the kingdom, the seminaries were suppressed, and the Catholics were disarmed. It was moreover proposed to expel them from the corporate towns, where (after having been formerly excluded) they had been ~~licensed~~ to return; but this involved a very nice point, and one peculiarly illustrative of the spirit in which the dominant party exercised their power. The English inhabitants, who under the influence of present alarm

* Leland, vol. iii., p. 446.

cried out for this expulsion, had themselves been the instigators of what they now inveighed against as an abuse. They had admitted the Roman Catholics because they could not do without them.* They wanted servants, tenants, and tradesmen, and these could only be found amongst the mass of the population. Religious prejudices were silenced by secular interests, but terror now revived the former, and they demanded the strict enforcement of that law, the violation of which they had previously connived at for their own convenience. During the remainder of this reign both parties continued in a state of fervent excitement, animated by alternate hopes and fears, and severally elevated or depressed according to the prevailing policy or disposition of the English court. The restoration of the Duke of Ormond to the royal favour, and to the government of Ireland, had quieted the alarm, and raised the confidence of the Protestants; but his removal in the last year of Charles's reign, and the clear signs of a popish tendency in the government, again revived all the jealousies and fears of the former, as well as the sanguine anticipation of the latter party.

It was natural, therefore, that the accession of James II. should fill the Irish Catholics with the most joyful and triumphant expectations; and the conduct of the government served to confirm the hopes they entertained of a complete reaction,

* Leland, vol. iii., p. 476.

of recovering the property of which they had been stripped, and establishing the ascendancy of their religion.

There is no doubt that the Catholics had a long arrear of injury and oppression to settle with their rivals ; but they speedily evinced a determination to avail themselves of the power they were about to acquire, in a spirit of bitter and vindictive retaliation. A long course of tyranny on one side and of suffering on the other, had begotten sentiments of mutual detestation and fear, which left no alternative but the absolute ascendancy of one party and the utter prostration of the other ; and this was what each evidently felt, and equally contemplated—moderation, toleration, and compromise, were never for a moment thought of by either. The history of the preceding 150 years will account for the conduct of the Catholics in their brief interval of superiority ; and that conduct again must explain the merciless policy of the conquerors, when they emerged from their final contest, burning with bigotry and the desire for revenge.

One of the first measures of the court was to disarm the Protestant militia ; and as soon as the Earl of Tyrconnel was invested with the command of the army he proceeded to dismiss the Protestant officers and soldiers, and supply its ranks with Catholics. All the penal laws were suspended or violated ; the corporations were filled with Catholics ; Protestant

judges were turned out, and Catholics placed upon the bench, and in all offices of trust. The consternation of the Protestants kept pace with the boldness and confidence of the Catholics, the most violent of the latter declaring, that in a few months not a Protestant would be left in the army, and that with the possession of arms they would soon regain their lands. Many of the old proprietors cautioned the tenants not to pay any rent to English landlords, and some of the Popish clergy forbade the people to pay tithes to Protestant incumbents.* The reaction had proceeded thus far, when king James repaired in person to Ireland ; and at Dublin, in May 1689, he assembled his parliament in order to complete the new revolution. The Act of Settlement was repealed, and a clause inserted in the bill, by which all who did not acknowledge king James, or who had aided or corresponded with rebels since August 1688, were to forfeit their estates. By another monstrous act of proscription, persons abroad, not returning in obedience to the king's proclamation, were to be attainted of high treason, and suffer all its penalties of death and forfeiture, unless they surrendered within certain periods assigned. Two thousand five hundred persons were included in this iniquitous sentence,† amongst whom were sixty-two peers, eight bishops, and eighty-three clergymen.

In ecclesiastical matters James was disposed to act

* Leland, vol. iii., p. 499.

† Ib. vol. iii., p. 539.

with more caution and reserve ; he was sensible that the total overthrow of the Protestant church establishment would be extremely injurious to his interests in England, and he endeavoured (though in vain) to restrain the violence of his Irish adherents. To the Address of the Protestant clergy on his arrival in Dublin he gave a gracious and encouraging reply ; and the only legislative measures enacted were a bill for liberty of conscience, and another entitling the Romish clergy to all tithes and ecclesiastical dues, payable by those of their own communion-acts in themselves very reasonable and just. But it was impossible for him (if he wished it) to extend to the Protestants that justice and protection with which the Catholics themselves had never been treated, and it is no wonder that in the interval of Popish predominance “they felt all the distresses arising from a state of war and disorder, aggravated by the wanton insolence of their adversaries.”*

The Protestant clergy were soon reduced to great distress ; they could obtain no dues from non-conformists, nor tithes from Roman Catholics. The Popish clergy seized upon the churches ; and though the king acknowledged his promises of protection, and published a proclamation forbidding these outrages, his commands were not obeyed. An order was issued by the governor of Dublin that no more than five Protestants should meet together, even in

* Leland, vol. iii., p. 541.

churches, on pain of death.* In this time of danger and distress, the Protestants exhibited a great fervour of devotion, and if it had been possible for them to divest their minds of those religious prejudices, the intensity of which had abrogated the plainest and most imperative precepts of the Christian faith, they would have learnt from their own bitter experience some lessons of toleration and humanity fit to be practised upon the recovery of their ascendancy. That day was soon destined to dawn upon them, but no such maxims or ideas came with it. On the 3d of October, 1691, the surrender of Limerick terminated the civil war; the Protestant power was re-established, and the Irish people and Catholic religion were laid prostrate in the dust. "The unconquerable will," and even "the study of revenge," seemed to be extinguished, and nothing was left them but their "immortal hate." Four thousand Irish subjects were outlawed as rebels, and 1,100,000 acres of land confiscated; Articles were granted at Limerick, but they were so ill-executed that many who had quitted the Irish army and returned to their homes, emigrated to avoid the ill-treatment which they found they were likely to experience. "The situation," says Lord Clare, "of the Irish nation at the Revolution is unparalleled in the history of the world. If the wars of England carried on here from the reign of Elizabeth had been against a foreign enemy, the inhabitants

* Leland, vol. iii., p. 544-5.

would have retained their possessions under the established law of civilised nations, and their country been annexed as a province to the British empire; but the continued and persevering resistance of Ireland to the British crown, during the whole of the last century, was mere rebellion, and the municipal law of England attached upon the crime. What then was the situation of Ireland at the revolution, and what is it at this day? The whole power and property of the country has been conferred by successive monarchs of England on an English colony, composed of three sets of adventurers, who poured into this country after three successive rebellions; confiscation is their common title, and from their first settlement they have been hemmed in on every side by the old inhabitants, brooding over their discontents in sullen indignation.”*

From this period, Ireland enters into a fresh stage of her political existence; and her condition, and relations with England, certainly present the most extraordinary and anomalous exhibition of imperial or colonial government which the world ever saw. For some centuries the British government established in Ireland, with difficulty asserted an authority (often merely nominal) over a people still formidable from their numbers and territorial possessions; they lived, therefore, in constant dread of the natives, and in a necessary dependence upon the auxiliary power of

* Lord Clare's Speech on the Union.

England. The policy of the latter towards Ireland was invariably selfish, intolerant, and tyrannical. The principle upon which Irish affairs were conducted was, not to consider what would be beneficial to Ireland, but what would be advantageous to England alone ; nor did the great change which took place in the circumstances of Ireland make any difference in the character of this policy. Successive immigrations of Protestants had largely increased the number and power of the English settlement, and successive confiscations had made them the proprietors of almost the whole of the soil.

In possession of the authority of government, of the church and its revenues, and of the greatest part of the land, they had nothing more to fear from the broken and dispirited Catholics, now sunk into an abject state of submission. The Protestants therefore considered themselves, and were considered in England likewise, as exclusively constituting the Irish nation : while the Catholic population merely existed as an unavoidable evil in the land, stripped of all political privileges, and objects of the most unmitigated hatred and contempt. But notwithstanding the complete establishment of the Protestant power and the English interest, England had not the slightest idea of treating Ireland as an integral part of the empire, whose interests were to be consulted and promoted precisely in the same manner as her own. She asserted an odious

supremacy over the sister country, which was exercised in continual legislative encroachments, and the enactment of laws injurious to the commerce and property of the latter. The Irish Protestants were at liberty to indemnify themselves for the humiliation of subserviency to England* by any measures of severity and oppression which they thought fit to adopt against their Catholic countrymen; and of this license they soon began to avail themselves, by passing the first of that series of statutes which constituted "that unparalleled code of oppression" called the Penal Laws.† Mr. Burke says, and truly, that these laws were manifestly the effects of hatred and scorn, and not the effects of the fears, but of the security of the victors. Lord Clare, on the contrary, declares that it was the refusal of England to consent to a union with Ireland which gave birth to this code; that it was injurious to the landed property of the country, but that the landed

* L'Angleterre dit à la faction Protestante, livrez-moi les intérêts généraux de votre pays, et je vous ferai régner sur la nation au milieu de laquelle vous vivez. Le Protestant d'Irlande répond, Je veux bien être votre esclave, pourvu que vous m'aidiez à être le tyran d'autrui. —*G. de Beaumont, L'Irlande, &c.* vol. i., p. 96.

† Burke said, that these enactments were "the manifest efforts of national scorn and hatred towards a conquered people, whom the victors delighted to trample on, and were not at all afraid to provoke, &c." Bishop Mant is very indignant at this description, and assures us, that "they were calculated to promote not only the security of the Protestant, but *the benefit of the papist!*"

"O fortunati nimium, sua si bona nōrint."

—*Mant's Hist. I. Ch.*, vol. ii., p. 122.

proprietors were driven to the necessity of hazarding the possession of their estates, or holding them subject to this incumbrance.* But even this excuse, worthless as it is, will not avail; for the refusal to which he refers did not take place till the 2nd of Anne, while the first penal statutes were enacted in the 4th of William and Mary, and the 9th of William the Third. But let Lord Clare himself describe the spirit in which the English parliament acted towards Ireland, and the Irish parliament dealt with the Irish people. "The parliament of England," he says, "seems to have considered the permanent debility of Ireland as their best security for her connexion with the British crown; and the Irish parliament to have vested the security of the colony upon maintaining a perpetual and impassable barrier against the ancient inhabitants of the country."†

The history of Ireland during the last century affords repeated proofs of the truth and justice of this description; and it may be asked if it be possible to conceive any maxims of policy more detestable, or a more monstrous union of human malignity and folly? Do the pages of Machiavel contain suggestions more profligate? Was the expulsion of the Moriscoes more barbarous and impolitic? or the revocation of the edict of Nantes more unwise and intolerant, than this deliberate and long-sustained system, pursued by a country which plumes

* Speech on Catholic Relief Bill.

† Speech on the Union.

itself upon its free constitution and its own glorious struggles for civil and religious liberty?

“Their declared object” (says Mr. Burke, speaking of the penal laws) “was to reduce the Catholics of Ireland to a miserable populace, without property, without estimation, without education. The professed object was to deprive the few men who, in spite of those laws, might hold or obtain any property amongst them, of all sort of influence or authority over the rest. They divided the nation into two distinct bodies, without common interest, sympathy, or connexion. One of these bodies was to possess all the franchises, all the property, all the education; the other was to be composed of drawers of water and cutters of turf for them.”

The system, then, that was avowed and acted upon, was this: that Ireland should neither reap the benefits of union, nor the benefits of independence, but should be maintained in a condition of political subordination and inferiority to England; and that the government of this subordinate province should be administered by a Protestant minority, invested with full power to load with incapacities, and keep in a permanent state of degradation, the great majority of the people, without any reference to their behaviour as citizens or as subjects, and for no other cause of disqualification than their profession of the Catholic faith.

The Reformation, however, had now made a

considerable progress among the higher orders in Ireland; and the English settlers, who had a good deal of the old Cromwellian blood in their veins, and were animated with sturdy principles of liberty and independence, were not inclined to submit tamely to the domination of England, and evinced a disposition to insist upon the same constitutional rights as their English fellow-subjects enjoyed; this pretension was, however, strenuously and contemptuously resisted by England.

Before the Revolution, the political relations of the two countries were of an independent character, though England had always regarded Ireland as a dependent colony; but after the Revolution, the subjection of Ireland to England was considered as established beyond all doubt, and the legislative supremacy of the latter was constantly exercised, and when questioned, was asserted and proclaimed in the most peremptory terms.* In order to have a complete understanding of the mutual relations of the two Islands, and of the feelings which were engendered, and took such deep root in the Irish mind, it is necessary to take two distinct and separate views, and look, first, at the whole course of the political conduct of England towards Ireland, for nearly a century; and, secondly, at the treatment which the Irish Catholics experienced from the Irish Protestants, during the same period. It is good for

* Lewis on Dependencies, note, p. 356.

us to ponder over these reminiscences of national and sectarian iniquity and injustice,—not, indeed, for the purpose of reviving or perpetuating ancient animosities, but of deriving, from past experience, salutary lessons of morality and expediency, which may be applied to the evils and perils of our own times.

It was in 1698 that the constitutional jealousy of the two countries began first to manifest itself. Mr. Molyneux, member for the university of Dublin, conceiving that the woollen manufacture was in danger of ruin from the oppressive regulations adopted by the English government, published a tract, called “The Case of Ireland’s being bound by Acts of Parliament in England stated;” which was received with prodigious applause in Ireland, and with corresponding indignation and resentment on the other side of the Channel. The English House of Commons took the matter up with a high hand; condemned Molyneux’s book by a resolution; in an address to the king, besought him to restrain the Irish parliament, and promised to assist his Majesty in maintaining the dependence and subordination of Ireland to the imperial crown of England. The supremacy thus loftily claimed was not less sternly exerted: the prohibition of the exportation of wool and woollen manufactures from Ireland, and the interference with the Irish forfeitures, created a feeling of inveterate rancour between the

two legislatures. In the year 1719 an angry dissension arose from the reversal, by the Irish House of Lords, of a decree of the Court of Exchequer, which judgment was reversed by the English House of Lords; and an act was passed, which, after reciting that attempts had been made to shake off the subjection of Ireland to the imperial crown of the realm, provided that the parliament of Great Britain "had, hath, and of right ought to have" full power to make statutes to bind the people and kingdom of Ireland.

During the preceding reign, the British parliament had legislated for Ireland, just as if she had no parliament of her own; and when, in 1707, the Irish House of Commons presented an address to the Queen, which was, in fact, a proposition for a legislative union with Great Britain, the English government would not listen to it; "and in finding a substitute for it," says Lord Clare, "there was a race of impolicy between the two countries."

From 1724 to 1742 the Irish administration was conducted by Primate Boulter,* whose sole notion was to govern through the medium of an English interest; against such an executive system an Irish party was formed, which gradually increased in strength, and being joined by the tories, who detested the whig government, they took the common name of "patriots." The first great contest against the authority of the English government, was occasioned by the famous

* See Letters, *passim*.

affair of Wood's patent, when Swift, in his immortal Drapier's Letters, (which it is impossible, even now, to read without the liveliest pleasure and admiration,) roused the dormant spirit of Ireland, and united the whole nation in furious opposition to the projected coinage. In the torrent of ridicule and invective with which Wood, with his brass, was overwhelmed, there were numerous exaggerations and misrepresentations; but though Swift veiled the nature of the controversy, under specific objections to the scheme, the independence of Ireland really lay at the bottom of it. When the minds of men were sufficiently heated with the contest, he put forth, in express terms, that the parliament of England had no right to bind the people of Ireland by laws enacted at Westminster. "Those who come over hither to us from England, and some weak people among ourselves, whenever in discourse we make mention of liberty or property, shake their heads, and tells us 'Ireland is a depending kingdom,' as if they would seem by this phrase to intend that the people of Ireland are in some state of slavery or dependence, different from those of England. . . . I have looked over all the English and Irish statutes, without finding any law that makes Ireland depend upon England, any more than England does upon Ireland. . . . Our ancestors were not such fools as to bring themselves under I know not what dependence, without any ground of law, reason, or common

sense. . . . It is true, indeed, that within the memory of man, the parliaments of England have sometimes assumed the power of binding this kingdom by laws enacted there, wherein they were at first openly opposed (as far as truth, reason, and justice are capable of opposing) by the famous Mr. Molyneux, as well as by several of the greatest patriots and best whigs in England; but the love and torrent of power prevailed: indeed the arguments on both sides were invincible; for in reason, all government without the consent of the governed, is the very definition of slavery;—but, in fact, eleven men well armed will certainly subdue one single man in his shirt. But I have done; for those who have used to cramp liberty, have gone so far as to resent even the liberty of complaining, although a man upon the rack was never known to be refused the liberty of roaring as loud as he thought fit.” The popularity of the dean was unbounded, for he did not stand forth as the champion of any ascendancy, political or sectarian, but as the advocate of the whole Irish people—of all who wanted food for their bellies or clothes for their backs, against the interested oppression of the English government. “I confess,” he says, “I have been sometimes tempted to wish that this project of Wood’s might succeed, because I reflected with some pleasure what a jolly crew it would bring over among us, of lords and squires, and pensioners of both sexes, and officers,

civil and military ; when we should live together as merry and sociable as beggars, only with this one abatement, that we should neither have meat to feed, nor manufactures to clothe us, unless we could be content to prance about in coats of mail, or eat brass, as ostriches do iron.”*

It is not difficult to imagine the effect of such humour as this on Irish excitability, and the ultimate concessions of the English government were hailed as a national triumph. About the beginning of George the Second’s reign, a great part of the Roman Catholics began to consider themselves Irish *men* as well as Irish *Catholics* ; and though deprived of the civil rights which the Protestants enjoyed, they began to make common cause with the latter in asserting and defending their civil liberties against England. This disposition to political union, notwithstanding all religious differences, excited the alarm of the government ; and Primate Boulter complained of the unhappy influence which the growing intimacy of Papists and whigs had had upon the state of the nation, and how “any body could grow popular by setting up for an *Irish*, in opposition to an *English* interest.”†

* Swift’s Works, vol. vi., p. 441.

† Letter to Duke of Newcastle, January 1724.

Boulter, lamenting the coalition of the Irish of all parties to defeat Wood’s patent, writes—“The worst of it is, that it tends to unite Protestant with Papist ; and whenever that happens, good bye to the English interest in Ireland for ever !”

The short government of Lord Chesterfield (from August 1745 to April 1746) was very popular in Ireland; and "now the English interest, at first by faint and almost insensible degrees, but at length openly and avowedly, became *an independent Irish interest*."* The spirit of freedom continually advanced; and on the death of Boulter, and appointment of Stone to the primacy,† the antagonist parties, one under the new primate, and the other led by Speaker Boyle, were marshalled in regular opposition to each other.

It would be beside my purpose to attempt to narrate the political contests of that period, the vicissitudes of the popular cause, and the details of that system of jobbing and corruption by which the English interest was maintained. The spirit of Irish emancipation kept continually gathering strength. Men of great ability embarked in the cause, and the press diffused the desire for constitutional liberty through all parts of the country. The two great objects for which the patriots contended were, legislative independence and commercial freedom; and the concession of these was resisted by the English government on one side the Channel, and by the English interest on the other, with an obstinacy and determination, which nothing but necessity, and a

* Plowden, vol. i., p. 301. Burke's letter to Sir H. Langrishe.

† Handley was the immediate successor of Boulter, but he only lived about four years after his election; and his primacy was in no way remarkable.

keen sense of the danger of further opposition, were at last sufficient to overcome.

With regard to the latter object, it was not merely the mistaken or prejudiced policy of a party, but the pure selfishness and jealousy of the English nation, which denied this justice to Ireland: it was a mixture of ignorance and selfishness not less prejudicial to British than to Irish prosperity. But I am only now concerned in showing that such was the spirit and disposition of the English towards the Irish people; and that by its operation these feelings of animosity and alienation were so deeply rooted in the latter country, that no subsequent concessions, no change of policy, however liberal and complete, have been able to extirpate them. In proof of this part of the case the testimony of Mr. Huskisson must be produced. "Recollecting," he says, "that for centuries it has been a settled maxim of public policy, in all great states having dependencies, to make the interests of those dependencies subservient to the interests, or the supposed interests, of the parent state, there is, perhaps, no country where the consequences of persevering in such a system can be so forcibly illustrated as in our own. In the first place, let us look at Ireland till the year 1782. The many other causes which contributed to keep that fertile island in a state of misery and depression, I shall pass by on the present occasion; but is it not a well-known fact, that, till

the year 1780, the agriculture, the internal industry, the manufactures, the commerce, the navigation of Ireland, were all held in the most rigid subserviency to the supposed interests of Great Britain?" In 1778, a partial relaxation of this exclusive system was proposed in the English parliament; "and what was the reception these proposals met with in the house of commons, and on the part of the trading and manufacturing interests of the country? The opponents of these limited concessions, enumerating the boons already conferred on Ireland, declared that to grant more would be fatal to the commerce and manufactures of England. . . . Our merchants and manufacturers, our ship-owners, our country gentlemen, all took the alarm—all were to be ruined, if we granted the proposed participations to a country almost without debt, and paying the same taxes with ourselves. Resting on these, and other grounds, petitions poured in from all quarters. . . . The merchants of Glasgow prayed 'that neither the present, nor any future advantage, should be granted to Ireland, which might in the least degree operate to the disadvantage of Great Britain.' The language of Manchester was still more decided in reprobating the proposed concession. Liverpool, also, did not hesitate to predict, that by the adoption of the proposals that town and port would be speedily reduced to their original insignificance. In 1779, a more limited concession to Ireland was

proposed in the British house of commons, but this measure was negatived on a division. Towards the close of that year, the events of the war in North America, and the state of things in Ireland, produced a different feeling in the British parliament. State necessity, acting under a sense of political danger, yielded without grace, that which good sense and good feeling had before recommended in vain." *

The course of legislative emancipation, though advancing in the main, marched with very irregular and unequal steps. As long as Primate Stone lived, the party he directed could command any question; the system which he established being sufficient, said Lord Clare, "to beat down the most powerful nation on the earth." In those days a viceroy came to Ireland for a few months once in two years. These were certain ^{great} grandees, possessing such an influence in the house of commons, that their coalition could always secure a majority. It was the object of the government, therefore, to disunite these chiefs, and to disengage, as much as possible, the followers from their leaders. The principals used to stipulate the terms on which they would carry the king's business through parliament; they insisted that all patronage of every description should pass through their hands: when their demands were not complied with, they obstructed

* Huskisson's Speeches, vol. ii., p. 308.

the measures of government, and the session of parliament was occupied with a struggle for power between the heads of parties. "The government," says Lord Clare, "established a race of political adventurers. Still political ferment led to no serious conflict till the American war, when we availed ourselves of the hour of danger and calamity to press the claim of Ireland in terms of marked hostility to the British nation." "The concession of a free trade was followed by a demand of a free constitution; and the English colony was taught, in an evil hour, to separate itself from the English nation."

To unravel the knotty thread of Irish politics, and develop the gradual predominance of the independent cause, would not be uninteresting, but it would carry me far beyond the limits I have prescribed to myself. The administration of Lord Townshend (which terminated in 1772) left the Irish parliament in a very obsequious state; but in the course of that of his successor, Lord Harcourt, the progress of the American revolution began to diffuse a spirit of liberty through all ranks of the Irish people, and the minister* becoming sensible of the expediency of conciliating Ireland, appealed to the parliament of Great Britain, to pass some popular measures of relaxation and toleration. These were eventually carried, though not without considerable opposition,

* Lord North.

both in and out of parliament, and the concessions were deemed to be prodigious acts of generosity, which Ireland was bound to receive with every sentiment of gratitude and devotion. These were the primary measures of a liberal policy, soon to be followed by more momentous sacrifices of monopoly and power. A mighty change had now come over the face of the political world. Notwithstanding the continued prevalence of commercial jealousy, the cause of Ireland was warmly espoused by a great party and by some of the greatest statesmen in the English parliament; their co-operation with the Irish patriots, and the concurrence of events tending to diminish opposition, led to the accomplishment of legislative independence. "The weakness of England," said Mr. Grattan, "made the strength of Ireland; for Ireland was saved when America was lost—when England conquered, Ireland was coerced—when she was defeated, Ireland was relieved. . . . How necessary, therefore, to assert the rights of Ireland! Surely you do not expect, like the Jews, redemption to come from Heaven, if you do not help yourselves."* They did help themselves, and they obtained all the objects which they sought; but it is, and ever will be, the misfortune of triumphs thus achieved, and concessions thus made, to leave behind a rankling animosity, incompatible with cordial union or with any sentiment of amity and similarity

* Motion for an Address to the Crown, Feb. 22, 1782.

of interest, and which is sure to produce fresh contests instead of permanent peace. "For a period of twenty years," says Lord Clare, "a liberal and unwearied system of concession and conciliation has been pursued and acted on by the British government—conciliation and concession have only produced a fresh stock of grievances, and the discontents of Ireland have kept pace with her prosperity. No nation ever made such progress in agriculture and commerce, and it is a heart-breaking spectacle to every man who loves his country, to see its progress arrested by the factious folly of the people. In 1779 they demanded a free trade, and it was granted. In 1782 they were desired to state their grievances, and full redress was afforded them. In 1783 they were dissatisfied, and redress was extended to the term of their whole demand. In 1785 they demanded a commercial treaty, and Great Britain made them a fair and liberal offer, which they rejected. In 1789 they demanded a Place Bill, a Pension Bill, and a Responsibility Bill; they had them all, and the King surrendered his hereditary revenue."* The English government looked upon the Irish as importunate, encroaching, and ungrateful. They were extremely disgusted at being compelled to succumb to Irish extortion, and they endeavoured (though, no wonder, in vain), to make a great merit of their own

* Speech on Lord Moira's motion, February 1798.

compulsory generosity. The Irish, on the other hand, claimed all that they had acquired as a matter of right, they acknowledged no obligation, and pretended to no gratitude, on account of concessions which England had refused as long as she dared, and had only made at last under the pressure of an invincible necessity. Such was the inter-national *animus* up to the time of the Union, and now let us look at the other side of the picture; while the Irish parliament and the whole Irish nation were thus struggling with English influence and power for commercial and legislative emancipation, let us see what was the conduct of England, united with the Protestant interest in Ireland, towards the Irish Catholics, the great bulk of the nation. I do not know a more curious political spectacle than this huge anomaly—this intermingling and separation of various and opposite interests—this occasional alliance of the bitterest enemies for partial objects and particular purposes—Catholic and Protestant Irishmen, allied against England for one purpose—Englishmen and Protestant Irish, allied against Catholics for another, and each end pursued with all the vehemence of political and religious zeal. The history of the penal laws exhibits the whole course and system of Protestant oppression and Catholic degradation. In these days of liberality and toleration, we almost forget that such things have been; but the memory of them is engraven in indelible characters on the

minds and hearts of the Irish people ; and it is fit that we should remember them too, in order to comprehend why it is that the fierce spirit of the Irish Catholic can still be stirred up at the will of the demagogue, and why he still hates, with an ever-burning hatred, the Englishman and the Orangeman, the Protestant and the Protestant church; and why he will and must continue to hate, agitate, combine, conspire, and, perchance, rebel, as long as any, even the slightest vestige remains of that execrable system which once bowed him down to the lowest depths of degradation and misery, and from which he is conscious that his own energies and exertions eventually set him free.

Lord Clare has attempted not, indeed, to defend, but to apologise for, the penal code: he says,* “the penal laws enacted in this country to abridge the power and influence of the old Catholics, was a measure of hard necessity, a measure of self-defence and self-preservation, which has been from time to time relaxed, with a very ill-requited liberality. . . . The Protestant settlers, at the Revolution, were an English colony in an enemy’s country, which had been reduced to a sullen and refractory allegiance;—in numbers, not one-fourth of the whole, and being objects of incurable aversion, could only stand their ground by disarming their enemies, and

* Speech on Catholic Relief Bill, 1793. He says the Catholics were gainers with respect to civil liberty.

cultivating the confidence and affection of the British nation; and he says (which is untrue) that it was the refusal of England to consent to a legislative union, which rendered the enactment of the penal code necessary.* Such an apology as this could only apply to *a measure* (as he indeed terms it) adopted under the exigency of a particular crisis, but the penal code was not *a measure*, but the result and elaboration of a system, begun and continued, for nearly a century, in the same persevering spirit of ferocious and oppressive bigotry—continued under all circumstances—unmitigated either by security of possession, or the political prostration of its objects. Burke has described this system in its true colours:—"it was a complete system, full of coherence and consistency, as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man."† "To render man patient under a deprivation of all the rights of human nature, everything which could give them a knowledge or feeling of those rights was rationally forbidden; to render humanity fit to be insulted, it was fit that it should be degraded."‡

* The terrible 2nd of Anne, "for preventing the further growth of popery," was passed some years before the Address to the Crown in favour of an Union.

† Letter to Sir H. Langrishe.

‡ Letter to a noble Lord, vol. vi., p. 282.

He denounces, in his immortal *Philippics*, a system of which not merely the tendency, but the object was to keep the great mass of the people poor and ignorant: a premium was offered to children to be undutiful and disobedient to their parents—the very foundations of moral obligations were sapped, and the stream of natural affections poisoned at its source; the law met the Catholic in every road to industry; every avenue to employment was closed against him; he was precluded from the benefits of education, and as much as possible from the blessings of religion; it was criminal to teach and to preach, it was criminal to learn and to listen; and, says Burke, “this system of penalty and incapacity has for its object no small sect or obscure party, but a body which comprehends two-thirds of the nation.”*

. . . “The happiness or misery of multitudes can never be a thing indifferent; a law against the majority of the people is, in substance, a law against the people itself. Its extent determines its invalidity.”†

The maxims of government, which were avowed and acted upon in those days, are happily exploded in our own: we are familiar with principles of liberty and equality, both civil and religious, and we cannot look back to this iron age without feelings of shame and indignation. That system produced the fruits that might be expected from it; but it is

* Works, vol. ix., p. 323, 330.

† Ib. vol. ix., p. 348.

our good fortune to live in times when very different maxims of political morality prevail from those by which it was engendered and maintained—and we acknowledge principles of civil and religious freedom, with which these proscriptive statutes are utterly incompatible. “All human laws,” says Burke, “are, properly speaking, only declaratory; they may alter the mode and application, but have no power over the substance of original justice: the other foundation of law, which is utility, must be understood not of partial or limited, but of general and public utility.”*

The tyrant’s plea of *necessity* for ruling this great portion of the empire with a rod of iron, was, at once, a great political error and a great national crime; our policy was as injurious to ourselves as it was ruinous to Ireland; but had it been as profitable to us as it really was the reverse, we had no right to retain possession of the country upon any such condition. There is “a substance of original justice,” independent of all human institutions, and superior to imperial power itself, deriving its sanction from the law of God and nature, and binding upon all men who acknowledge the authority of that law, as well in their collective, as in their individual capacity. Every government is under an inherent, indefeasible obligation to promote the interests, moral as well as material, of all its subjects, without

* Works, vol. ix., p. 351.

distinction, and according to their several capacities ; and no fancied political expediency, however urgent, can warrant the imposition of a legislative and administrative system, calculated to demoralise great masses of men, and to retard that process of social and individual progress, which is, or ought to be, the grand object and purpose of life itself—for the attainment of which end, all political machinery should be considered merely ancillary and instrumental.

The penal laws* began in the reign of William

* At the period of the treaty of Limerick, certain acts were in force which ought to have been repealed, such as the Act of Uniformity by which every person absent from some place of worship on Sunday forfeited 12*d.*, and the Chancellor might appoint a guardian to the child of a Catholic. William had engaged to have *the articles* of the treaty confirmed by Parliament ; but the preamble to the act “ for confirming articles ” (not *the articles*) of the treaty runs thus :— “ That the said articles, *or so much of them* as may consist with the welfare and safety of His Majesty’s subjects of this kingdom,” &c. The Penal Code was the work of five successive reigns, each adding something to the hideous monument of intolerance and ferocity. It may not be amiss to remind the reader of its most striking and stringent provisions. In the reign of William III. Catholics were deprived of the means of educating their children abroad or at home, and of the privilege of being guardians to their own, or any other person’s children. Catholic priests were banished from the country—the intermarriage of Catholics and Protestants was prevented—Catholics were not allowed to be solicitors, and to take other employments.

One of the first statutes of the reign of ANNE was the famous act “ to prevent the further growth of popery,” by which, if the son of a Papist became a Protestant, the father could neither sell, mortgage, nor dispose by will of his estate. He might not be guardian to, or have the custody of, his own children ; and if one of them

the Third, against the personal inclination of the king, who would certainly, if he had been able, have fulfilled his promise to obtain for the Catholics some parliamentary security for the undisturbed exercise of their religion. Upon the accession of Anne, the spirit of bigotry (in some degree checked by the influence and well-known feelings of the late king), broke out in all its fierceness; and by the act to prevent the further growth of popery, the code of persecution was rendered nearly complete. "This series of laws," says Mr. Hallam, "has scarcely a parallel in European history; and to have exterminated the Catholics by the sword, or expelled them

was, or pretended to be, a Protestant, it was taken out of his hands at any age. Papists might not purchase lands or tenements, or hold leases for more than thirty-one years. With respect to such leases, if a farm produced a profit greater than one-third amount of rent, the right in it was to cease, and pass to the first Protestant who made the discovery. Any inheritance of a Protestant descendible to a Papist, was to pass to the nearest Protestant relation. No Papist could take an annuity for life. When a popish child became Protestant, a bill might be filed in Chancery to compel the parent to discover the value of his estates, real and personal, which was to be distributed as the Court thought fit, for the maintenance of such Protestant child or children. Popish wives conforming, acquired thereby various rights. Any Papist teaching school publicly or privately, to be prosecuted as a popish regular convict. Popish priests converted, to have 30*l.* a-year, levied and paid by grand juries. Rewards were offered for discovering popish clergy—50*l.* for a bishop, 20*l.* for a clergyman, and 10*l.* for a schoolmaster. Two justices might summon any Papist eighteen years old, and if he refused to say when and where he last heard mass celebrated, and who was present, he might be committed for twelve months, or fined 20*l.* Various other acts were passed against the clergy, and to exclude the laity from office, in this reign.

like the Moriscoes from Spain, would have been little more repugnant to justice and humanity, but incomparably more politic." The statutes had the effect of inducing many of the wealthier Catholics to conform, at least ostensibly, to the Protestant church; but they made no change whatever in the religious persuasion of the bulk of the people:—the Catholics were, however, politically extinguished; they ceased to exhibit any show of resistance, or even remonstrance; nor during either of the rebellions of 1715 and 1745, did they evince the slightest disposition to shake off their chains, or to give any disturbance or alarm to the government.

GEORGE I.

Horses of Papists might be seized for the militia, and Papists were to pay double towards raising the militia.

GEORGE II.

Papists were deprived of the elective franchise. All converts were bound to educate their children as Protestants. Barristers and solicitors, marrying Papists, were subjected to the penalties of such. No convert, whose wife or children were Papists, could act as a justice of the peace. Persons robbed by privateers during a war with a Catholic prince, to be reimbursed by levies on the lands and goods of popish inhabitants. All marriages between Protestants and Papists, celebrated by popish priests, were annulled. Any popish priest celebrating such marriage to be hanged.

GEORGE III.

Justices and magistrates might either by day or night search for and seize the arms of Papists, when they have any cause to suspect their concealment. Papists refusing to deliver up such arms, or to discover them on oath, or neglecting to appear on summons, might be punished by fine and imprisonment, pillory, or whipping, at the discretion of the magistrates.—*Sir H. Parnell's History of Penal Laws.*

For half a century they were continually treated with every demonstration of hatred and contempt; the government and the parliament constantly reciprocating expressions of their zeal and hostility against "the common enemy," as they termed three-fourths of the people; and encouraging each other to enact fresh laws against them, or more rigorously to put the old ones in force. During the whole of Anne's reign, the penal laws were executed with unabating severity. In 1706, the lord lieutenant (Lord Pembroke) recommended parliament to proceed against their foreign *and domestic* enemies. In 1709, Lord Wharton recommended the union of Protestants against *the common enemy*.* In 1715, although the loyalty of the Irish Catholics was beyond suspicion, the excitement produced by the rebellion in Scotland did not fail to inflame the spirit of persecution. Lord Carteret told the Irish parliament that the Protestants had one common interest and *one common enemy*.

The commons soon afterwards addressed the lords justices to secure the persons of Papists, &c., and the lords justices assured the house that they had given orders for the strict execution of the laws against them,—and, accordingly, while parliament passed a fresh act (to prevent Papists from being constables), every nerve of government was strained to execute the penal laws, and especially those which were directed against the exercise of their religion.

* Plowden, vol. i., 219.

The priests were hunted from their places of concealment, taken from the altar while celebrating divine service, first imprisoned, and then banished.* But it was in 1723 that the fury and fanaticism of the Irish house of commons broke out, beyond all bounds of common sense or decency. Upon a series of resolutions which they voted, a bill was brought in, the general character of which may be judged of from a clause, *unanimously* adopted, for castrating every Catholic clergyman that should be found in the realm. This bill was presented on the 15th of November, 1723, to the lord lieutenant (the Duke of Grafton) with an earnest request to his Grace to recommend it to his Majesty in the most effectual manner, humbly hoping, that from his Majesty's goodness, and his Grace's zeal for the Protestant interest, the same might pass into a law. It was transmitted to England, where it was indignantly rejected; the lord lieutenant endeavoured to console them for this unkind repulse, attributing the failure to their having brought in the bill at such an advanced period of the session, recommending to them a more vigorous execution of the penal laws, and promising to co-operate with them in a prevention of the growing evil of popery.†

* Plowden, vol. i., 244.

† It is remarkable that a similar suggestion had been made in England twenty-three years before, in a pamphlet published in London, in the year 1700; its title is, "Reasons humbly offered for a law, &c., as the best way to prevent the growth of popery in England."—*Vide* 4th vol. of the *Harl. Miscel.*, where it may be found.

On the accession of George the Second, the Catholics presented an address of congratulation, expressive of their loyalty and their obedient disposition to the government: this was presented to the lords justices, by whom it was received with silent contempt; nor was it even known whether it was ever submitted to the notice of the king.*

In 1757 the Duke of Bedford was appointed lord lieutenant. He was the first governor who professed a favourable disposition towards the Catholics; and about this time they began to bestir themselves, though with much hesitation and timidity. It was with reference to a proposed registry bill which would have been very injurious to them, that they took their first feeble steps for obtaining some relaxation of the penal laws. These movements aroused the vigilance of the government, and the laws, which had latterly been more mildly executed, were again put vigorously in force. In 1758, a young lady of the name of O'Toole, who had been pressed by her friends to conform to the established religion, took refuge against their importunities in the house of a Mr. Saul. Saul was prosecuted, and he was publicly told from the bench, "*that the laws did not presume a Papist to exist in the kingdom, nor could they breathe without the connivance of government.*"

But towards the end of George the Second's

* Plowden, vol. i., 262.

reign a more generous spirit began to prevail among the Irish Protestants, and the submissive behaviour of the Catholics softened the animosity with which they had so long been regarded, and elicited some expressions of esteem from the ruling powers. The unostentatious exercise of their religion had long been permitted, and the current of opinion seemed to be turning in their favour, though many a long year was still to elapse before any essential relief and fair measure of justice were vouchsafed to them.

It was in 1763 that the first attempt was made to break in upon the penal system, in the shape of a motion of Mr. Mason, to allow Papists to lend money on mortgage. After postponing his first motion in February 1764, he again introduced the subject, but his bill was rejected by a majority of 138 against 53.

In the five years that Lord Townshend administered the government (from 1767 to 1772), his humanity softened, as much as possible, the rigour of the penal laws; and it was during his viceroyalty that the first favourable act to the Catholics was passed—an act which had been frequently thrown out before, as tending to encourage the Catholic to the detriment of the Protestant religion. This magnificent boon was entitled, “An Act to encourage the reclaiming of *unprofitable* bogs;” and it generously allowed a Catholic to take a lease of fifty acres of such bog, with half an acre

of arable land adjoining : but lest there should be any danger in this valuable acquisition, it was provided that no bog should be considered unprofitable unless the depth from the surface, when reclaimed, was four feet at least.*

In 1773, the English government began to think it expedient to do something in order to conciliate the Irish Catholics ; and peremptory orders were given for passing during the session some measure in conformity with this sentiment. It is really amusing at this time to contemplate the form and amount in which this beneficent and condescending disposition manifested itself. No part, indeed, of the penal code was to be remitted ; but a bill passed enabling the king's subjects of every persuasion—which meant the Catholics—to *testify their allegiance to his majesty !*

In 1778 the tide of liberality began to flow with greater force and rapidity. The English cabinet grew tolerant as it got frightened, and, as Mr. Grattan said, “ when England was defeated Ireland was relieved.” Lord North publicly expressed his desire that the Irish Catholics should be relieved from the oppressions of which they justly complained ; but the Irish parliament was not yet prepared to carry into effect the wise though tardy recommendation of the English minister.

The English house of commons having, however, given an universal assent to Sir George Saville's

* Plowden, vol. i., p. 416.

motion in favour of the Roman Catholics in England, eleven days afterwards, on the 25th of May, 1778, leave was given in the Irish house of commons to bring in a bill for the relief of the Catholics of that country.* Though the proposed measure of relief was exceedingly scanty, it was vehemently contested in every stage, and ultimately carried only by a majority of nine. In the house of lords it was carried by thirty-six to twelve.†

There is no country in the world in which religious prejudices were so obstinately rooted as in Ireland, nor any from which they have been so slowly eradicated. The effect of the popery laws, and of the establishment of an insolent domineering Protestant ascendancy, proved full as demoralising to the master-sect, as to the wretched objects of their oppression. The Protestants were brought up in habitual sentiments of hatred and contempt for the Catholics; they considered themselves bound by no moral obligation towards them, and they abused the privileges of their ascendancy by the most flagrant acts of caprice and injustice. There was nothing on earth more detestably tyrannical, more brutally insolent, than the squirearchy. "Every squire, almost to a man," says Swift, "is a racker of his tenants, a jobber of public works, proud and

* Plowden, vol. i., p. 463.

† By this bill Roman Catholics might take leases for ninety-nine years; land was descendible, divisible, and alienable by them in the same way as by Protestants, and the power of children to acquire rights over their parents' estates was put an end to.

illiterate. . . . The detestable tyranny and oppression of landlords are visible in every part of the kingdom; . . . and they delight to see their vassals in the dust.”* The laws afforded to the Protestant an impunity for all wrong done to Catholics, and no scruples of humanity or justice saved the latter from being trampled upon with every mark of aversion and contempt.

So powerful were the effects of education, and the prejudices which both the laws and the church had combined to inculcate on the minds of the Irish Protestants, that it was not till long after the commencement of the struggle for commercial and legislative freedom that sentiments of greater liberality and toleration began to prevail. It was not possible, however, that there should be a coalition of Protestants and Catholics for great national purposes, and that the principles of civil liberty should be fought for in common, without a mitigation of those hostile feelings and sectarian animosities which had so long been the cause of division. Accordingly, in 1782 (31st January), Mr. Luke Gardner (afterwards Lord Mountjoy), gave notice of a bill for the relief of the Roman Catholics. On the 5th February this bill was brought in, and after some discussion and considerable opposition it was committed.

* Causes of the wretchedness of Ireland—Character of an Irish Squire, vols. vii. & viii.

Meanwhile the Volunteers, now become an important power in the state, met at Dungannon on the 15th February, and passed their memorable resolutions, one of which (the 14th) was, "that as men, Irishmen, Christians and Protestants, we rejoice in the relaxation of the penal laws against our Roman Catholic fellow-subjects, and that we conceive the measure to be fraught with the highest consequences to the union and prosperity of Ireland." Two of Mr. Gardner's bills (for he had divided his original bill into three) were carried; the third* (for allowing intermarriages between Catholics and Protestants) was thrown out. Although these bills repealed some of the most severe laws, and removed several penalties from the clergy, they still left the Catholics under the whole load of their civil disqualifications. "To look at the bill in the abstract," says Burke, "it is neither more nor less than a renewed act of universal, unmitigated, exceptionless disqualification. No man could imagine he was reading an act of amnesty and indulgence. It recites the oath, and that Catholics ought to be considered good and loyal subjects to his majesty. Then follows an universal exclusion of these good and loyal subjects from every, even the lowest office of trust and

* This act passed in Lord Chesterfield's administration, and was one of the worst parts of that barbarous system, if one could settle the preference, where all was outrage on the laws of humanity and nature. —*Burke.*

profit. This has surely more the air of a table of proscriptions than an act of grace.”*

The great thaw of the intolerant and proscriptive policy had now begun; but these bills were contemplated with dislike and alarm by the strenuous upholders of Protestant ascendancy, and the rejection of the intermarriage bill demonstrated that they were still strong enough to preclude any hope of a complete emancipation of the Catholics for a long time to come. Nevertheless the statesmen of those days were so sanguine as to expect that such scanty concessions would settle all disputes, and make the Catholics contented and happy. Lord Shelburne talked of “Ireland being now united; religious disputes all composed;” and Mr. Fox begged gentlemen to look forward to the happy period when Ireland was to reap the blessings that attend freedom of trade and constitution, and told them “that the intestine divisions were no more, the religious prejudices of former ages forgotten, and the Roman Catholics restored to the rights of men and citizens, &c.”† Many years passed away after Ireland had acquired legislative independence and commercial freedom, and still the Catholics continued to lie under a weight of penal statutes, from which no efforts were made to relieve them. The government had become disinclined to concession; and the patriots,

* Letter to a noble Lord.

† Fox's Speeches, vol. ii., p. 65.

though favourably disposed to the Catholics, knew they could not bring their claims before parliament with any chance of success ; but the principal cause of this inertness was the division among the Catholics themselves, who were unhappily split into an aristocratic and a democratic party.

At length in 1792 the question of bestowing some constitutional rights on the Roman Catholics became the great object of attention in Ireland ; and, on the 25th of January of that year, Sir Hercules Langrishe brought forward certain resolutions in their favour.* He proposed to open to them the profession of the law, and freedom of education, to allow intermarriages, and remove other obstructions, and leave was given to bring in a bill for these purposes *nemine dissentiente*. The tone and temper of both parties at that time is exhibited in a question asked by a Mr. Staples, and the answer of Sir H. Langrishe. Mr. Staples inquired whether the concessions in this bill would satisfy the Catholics, and if it was all that it was intended to grant them ? Sir Hercules replied, that the declaration of a host of Roman Catholics had already answered, "That grateful for what had already been granted, they would with *joy and humility* receive whatever the wisdom and liberality of parliament thought proper to bestow."

The bill ultimately passed, and with the cordial assent of the dissenters, who were desirous of pro-

* Plowden, vol. ii., p. 341.

moting an union between themselves and the Catholics for the advancement of their own political objects.

The French revolution was by this time at its height, and the dissemination of what were called French principles deeply impressed upon the government the expediency of correcting those flagrant cases of grievance and discontent, wherever they existed, which, by rendering the people combustible, might at any moment break out into a flame. None were so flagrant as the Catholic disabilities, and accordingly, on the 4th February, 1793,* the Irish secretary, Mr. Hobart, introduced, and eventually carried, a fresh measure of concession.

The bill afforded the Roman Catholics material relief in several important particulars ; it gave them the elective franchise, and, what they thought of greater importance, military rank. Mr. Grattan, however, said very truly, that though it was very good because it contained much, it would have been far better to give the Roman Catholics the whole, and have settled with them for ever. But this was too much for the temper of those times, and a proposition to allow them to sit in parliament was rejected by a large majority—163 to 69.

The Catholics and their friends soon began to

* It was at this time that the Roman Catholics began to be so designated, and no longer as "Papists," a change which the Bishop of Down and Connor reproves as "censurable phraseology," "by which the representative of the king was to designate the sectaries of a foreign church."—*Mant's Hist.* vol. ii., p. 722.

recollect that, while much had been obtained, much still remained to be obtained. Fresh petitions were drawn up; and on the 12th of February, 1794, Mr. Grattan moved for leave to bring in a new relief bill. The hopes of the Catholics were at this time raised very high by the junction of the Duke of Portland with Mr. Pitt, and the appointment of Lord Fitzwilliam as lord lieutenant. The latter undoubtedly accepted the office upon an expectation that further concessions to the Catholics was to form a part of the government policy. The misunderstanding, however, between the ministry in England and Lord Fitzwilliam, which ended in the recall of the latter, as a matter of course involved the defeat of Mr. Grattan's bill.

The recall of Lord Fitzwilliam produced feelings of consternation and despondency among the Catholics, proportionate to the hopes and anticipations his appointment had excited; and innumerable addresses and resolutions were poured in upon him, expressive of their sentiments upon an event so disastrous to them. Besides these, a remarkable address was also presented to Mr. Grattan, on the part of the Catholics of Dublin, in which they said that "some enemy to the king and the people had interposed his malignant and wicked suggestions, and thrown obstacles in the way of their total emancipation; but that they were far from giving way to despondency and alarm; they felt the justice

of their pretensions, and were persuaded what was just would prevail over perfidy and falsehood." To this address, couched in language unusually firm, Mr. Grattan returned a reply, containing the following remarkable prediction, the literal accomplishment of which he was unhappily not destined to see: "Your emancipation will pass, rely on it. Your emancipation must pass. It may be death to one viceroy; it will be the peace-offering of another: and the laurel may be torn from the dead brow of one government, to be craftily converted into the olive of his successor."

In 1796, Mr. Grattan moved, as an amendment to the commons' address, "to represent to his majesty, that the most effectual method of strengthening the country, was to take such measures, and enact such laws, as to ensure to all his majesty's subjects the privileges of the constitution, without any distinction of religion." Mr. Pelham, in his reply, asserted that the exclusion of the Catholics from parliament and the state was necessary for the crown and the connexion: and the amendment was rejected by 149 to 12. It was in his speech on this occasion that Mr. Grattan said, "the honourable member may rely on it, the Catholics, the Irish, will not long submit to such an interdict; they will not suffer a stranger to tell us on what proud terms the English government will consent to rule in Ireland, still less to pronounce and dictate the

incapacity of the natives, as the terms of her dominion, and the base condition of our connexion and allegiance.”

On the 17th of February, 1797, Mr. Grattan again brought forward the question of Catholic emancipation. At the conclusion of his speech on this occasion he thus broke out against the monopolizers of the whole power of the state. “These men demand all power and all place in consideration of the superior purity and disinterestedness of their religion. Give us all the good things on earth, in the name of God ; and in God’s mercy give nothing to the rest of our fellow-subjects. Thus this pure and pious passion for Church and State turns out to be a sort of political gluttony, an immoderate appetite for temporal gratifications, in consideration of spiritual perfection ; and in consequence of this vile, mean, and selfish monopoly, your state becomes an oligarchy—the worst species—aplebeian oligarchy. I love the Protestants, I love the Presbyterians, and I love the Catholics ; that is, I love the Irish. If ever my affection abates, it is when they hate one another.” His resolution, “that the admission of Catholics to seats in parliament is consistent with the safety of the crown, and the connexion of Great Britain with Ireland,” was rejected by 143 against 19 ; and this was the last time the question of Catholic emancipation was debated in the Irish parliament.

CHAPTER I.—PART II.

UPON looking back upon the various vicissitudes of the Catholic cause, through the long dark night of the penal laws, and then forward to the dawn of a more liberal and tolerant system, to the great change of opinion among the Irish Protestants on this subject, and the rise of a powerful party in parliament, zealously advocating emancipation, the question suggests itself why the Catholics, for above a century, tamely endured such privations and sufferings; and why, when the current had turned, and began to flow with such apparent force in the opposite direction, greater things were not accomplished in their behalf. The first, and the principal cause, was, the degraded and apathetic state into which the Catholics themselves had fallen. The monstrous policy of the ascendancy had been all but completely successful—it had benumbed the energies and faculties of the great mass of the Irish people. The light in which the popish majority was regarded by the Protestant minority of the last century, and the cringing humility with which the Catholics accepted their degradation, present a most curious

moral and political spectacle; and this is nowhere so well exemplified as in the writings of Swift, whose name is still in high account as the greatest of Irish patriots, and whose effigy is still blazoned in signs over every part of the land. In that remarkable sermon*—a discourse better adapted to the hustings or the forum than the pulpit,—in which all the causes of national distress, scattered through his political writings, are ably summed up, the penal laws, and the inflictions and oppressions under which the Catholics were groaning, formed no part of the enumeration; nor were they alluded to, except in the following brief and contemptuous passage, where he seems to consider their abject condition to be only matter of interest, inasmuch as it was productive of inconvenience and annoyance to the dominant caste:—“ But, alas! among us, where the whole nation almost is reduced to beggary by the disadvantages we lie under, and the hardships we are forced to bear—the laziness, ignorance, thoughtlessness, squandering temper, slavish nature, and uncleanly manner of living in the poor popish natives, together with the cruel oppressions of those landlords who delight to see their vassals in the dust. In such a nation how can we otherwise expect than to be overrun with objects of misery and want? therefore, *to free*

* On the causes of the wretched condition of Ireland (s. 9, vol. viii. p. 3.)

*this city from so intolerable a grievance, there can be no other method," &c., &c.**

He treated with scorn the favourite notion of dividing Catholics and Protestants, as a measure indispensable to the security of the latter, and he gives this contumelious description of the Catholic community:—"We are told the popish interest here is so formidable, that all hands should be joined to keep it under, that the only names of distinction among us ought to be those of Protestant and Papist, and that this expedient is the only means to unite all Protestants on one common bottom, all which is nothing but misrepresentation and mistake. If we were under any real fear of the Papists in this kingdom, it would be hard to think us so stupid as not to be equally apprehensive with others, since we are likely to be the greatest sufferers. But, on the contrary, we look upon them to be altogether as inconsiderable as the women and children—their lands are almost entirely taken away from them, and they are rendered incapable of purchasing any more; and, for the little that remains, provision is made by the late act against popery, that it will duly crumble away. Then, the popish priests are all registered, and without permission (*which I hope will not be granted*) they can have no successors, so that the Protestant clergy can find it no difficult matter to

* On the causes of the wretched condition of Ireland, vol. viii., p. 16.

bring great numbers over to the church ; and, in the mean time, the common people, without leaders, discipline, or natural courage, being little better than hewers of wood and drawers of water, are out of all capacity of doing mischief, if they were ever so well inclined.”* Again—“ As to popery in general, I look upon it to be the most absurd system of Christianity professed by any nation ; but I cannot apprehend this kingdom to be in much danger from it,—the estates of Papists are very few and daily diminishing, their common people are sunk in poverty, ignorance, and cowardice, and of as little consequence as women and children. Their nobility and gentry are, at least one-half, banished, ruined, or converted. They all soundly feel the smart of what they suffered in the last Irish war.”†

Nothing could be truer than this description of the state of the people. But, how edifying, to see an Irish patriot dilating with complacency on the ignorance, poverty, and cowardice of his countrymen ; and a Christian minister contemplating with satisfaction the prospect of their being deprived of all the offices and consolations of the religion they professed ! For half a century this moral paralysis continued to cramp the vital energies of the people. The commercial restrictions and the penal code between them had deteriorated agriculture and manufactures toge-

* Letter concerning the sacramental test, vol. viii., p. 367.

† Presbyterians' plea of merit, *Ib.* p. 403.

ther, and the country gradually sunk into the lowest state of misery and despair. The Catholics appeared to have resigned themselves once for all to the degradation of their condition, and to have lost all hope and nearly all desire for emancipation. At length, about the year 1756, three men, Messrs. O'Connor, Wyse, and Curry, resolved, if possible, to rouse the dormant spirit of their countrymen ; but they met in the outset with nothing but mortification and disappointment. They looked in the first instance to the Catholic aristocracy, but neither amongst them nor the clergy found any disposition to bestir themselves and co-operate in the good cause.* They not only refused all aid, but deprecated all attempts to obtain redress, fearful lest any manifestation of a design to shake off their chains might expose them to the danger of bringing a fresh persecution on their heads. Such was the discouraging commencement of this great struggle—timidity, jealousy, and disunion, instead of vigour, unanimity, and resolution, in the Catholic body : the higher orders lukewarm, supercilious, and averse from any coalition with the middle class—the clergy abject and submissive, preaching patience and humility to their flocks, and an uncomplaining reliance on the indulgence and pity of their rulers. It is curious to compare the crouching posture and humble tone of both laity and clergy in 1760, with the attitude

* Wyse's Hist. of Assoc., vol. i., p. 55.

and language they afterwards assumed, when they began to shake themselves free from the fetters of their long and debasing servitude. The Roman Catholics of Ireland presented to King George the Third on his accession, an address of condolence on the death of his grandfather—"a loss," they said, "the more sensible on our part, as the repose we have so long enjoyed proceeded from his royal clemency and the mild administration of his government." "Ever since the accession of your Majesty's royal house, we have in a particular manner experienced the paternal interposition of your illustrious predecessors. We, who are so unfortunately distinguished from the rest of our fellow-subjects, cannot subsist without a continuance of the royal favour and protection.

"Sensible of the same hereditary compassion in your Majesty's breast, we most humbly hope for that share in the happiness of your reign which our peculiar circumstances can admit. . . . We beg to assure your Majesty of our grateful and constant return of affection and loyalty, . . . happy, might it entitle us to express a wish, that of all your Majesty's dutiful subjects of this kingdom, we alone might not be left incapable of promoting the general welfare and prosperity of it."

In March, 1762, a general fast was ordained by the government "for the success of his Majesty's arms," when an exhortation was read in the Roman

Catholic chapels, fully corresponding with the address of their lay brethren, in humility of tone, and a spirit of passive non-resistance :—

“ We think it our duty to remind you of the thanks you owe to Almighty God, who, in these calamitous times, . . . leaves you in the enjoyment of peace, and the blessings that attend it ; blessings that ought to fill your hearts with the deepest sense of God’s mercy, and thankful to our chief government, whose paternal care and pity . . . knows no distinction of persons or people. . . . We exhort you to continue to behave in the same peaceable manner, and to avoid every thing, in public and private, that might give the least shadow of offence. . . . Nor does this caution proceed from any diffidence of your future conduct ; it is rather intended to raise in your minds a lively sense of the *lenity and mildness of our present most gracious government*. Length of time, your constant ready and cheerful submission to the ruling powers, and, above all, the merciful and humane disposition of the royal family, have greatly worn off the rigour of prejudice against you. These happy dispositions, encouraged by a continuance of the same behaviour in you, may perhaps improve still more to your advantage. But whether we shall be deemed worthy of future favour or not, it is our duty, as ministers of Jesus Christ, strongly to enforce the duty of a submissive, obedient, and peaceful behaviour ; and

yours, as Christians and good subjects, to fulfil them steadily in your practice.”

Such was the language of the predecessors of the O’Connells and Shiels, of the Doyles and M’Hales. From minds thus broken and subdued, no efforts of vigour and intelligence could be expected, nor was it strange that the oppressor still kept his foot upon the necks of men who would make no attempt to rise from their abject posture. At length, time and the hour, and a concurrence of circumstances, rather than the exertions of the Catholics themselves, brought about a turn in the tide of their affairs.* The sparks struck out by political collisions on one side, and fostered by political sympathies on the other, kindled the fire of an ancient spirit which still lurked unseen and unfelt amidst the ashes. Jarring interests were accommodated, rival jealousies appeased, and hostile parties reconciled. The war with France, which at once excited the apprehensions of the Protestants and the hopes of the Catholics, produced union amongst the people, and elicited concession from the government.†

The Catholics were now placed in a far more advantageous situation, and became animated with a bolder and more sanguine spirit: they could purchase land, they had acquired property, and, in spite of former restrictions, education had continued

* Wyse, vol. i., p. 92.

† Ib. vol. i. p. 114.

to advance; population had been continually increasing, and the two great elements of power—wealth and knowledge—began to inform and invigorate the mass.*

Inveterate prejudices had been so much worn off, that public opinion even among Protestants was becoming generally favourable to Catholic emancipation, till religious animosities were again revived during the tempestuous scenes and events which preceded and attended the Rebellion. The causes and the objects of that outbreak were undoubtedly political, and not religious; for the leaders of the United Irishmen were almost all Protestants, but the majority of their followers were Catholics, because the bulk of the people were of that persuasion.†

The associations of White Boys and Defenders, with the horrible cruelties and excesses perpetrated by both, soon inflamed the religious antipathies of the two sects to the highest pitch;‡ and though the Catholics, *as such*, certainly took no part in the Rebellion, and the Catholic gentry and clergy exerted themselves in aid of the Government, and did all they could to restrain the excited passions

* Wyse, vol. i., p. 118.

† The only Catholic leaders were Esmond, M'Nevin, and a few others.

‡ In the secret committee of the Lords, the Archbishop of Cashel asked Dr. M'Nevin if he could account for the massacres committed on Protestants by Papists in Wexford:—he said, that “the Irish peasant had but one name for *Protestant* and *Englishman*, and called both *Sassanagh*; his prejudices, therefore, were less against religionist than a foe.” In this the Lord Chancellor acquiesced.

of the people,* the cause of emancipation became in the course of the contest identified with that of reform; and the dread and aversion with which the latter was regarded by the ruling powers, were in no small degree extended to the former. Nor were the Catholics themselves in any disposition to urge their claims; and it was not till long after the Union that they renewed their exertions, and commenced that regular and systematic course of action, in which, with a few intervals of inertness, they continued ever after to persevere.†

The Union brought to a close a long act of this deplorable drama. But before any allusion is made to the more brief, but not less stirring period which followed it, it will be well to sum up the whole case by the production of testimonies whose impartiality and authority cannot be called in question, and the exhibition of a picture of the state of Ireland, drawn by a master-hand. On the 23rd of January, 1799, in the House of Commons, Mr. Pitt, in answer to Mr. Sheridan, said, "that he did not admit that England had oppressed Ireland for 300 years; but he would say that for 100 years the country had followed a very narrow policy with regard to that kingdom. When this country exercised a supremacy over Ireland, the policy of Great Britain, *tainted and perverted by*

* "To the hierarchy and respectable classes of the Romanists in Ireland, it is justice to observe, that they appear not to have been parties in the Rebellion, but rather to have exerted their influence in its suppression."—*Mant's Hist. of I. Ch.*, vol. ii., p. 750.

† Wyse's Hist., vol. i., p. 137.

selfish motives, treated Ireland with illiberality and neglect, and did not look upon her prosperity as that of the empire at large."

Mr. Wyndham (7th of February, 1799,) said "the disorders of Ireland might be ascribed to various causes, but they chiefly grew out of the nature of its constitution; the deformity of that constitution was its coercive form: it was like a garrison in a conquered town; it was a mere provisional government, deriving its existence, force, and power, from another state. The miseries of Ireland arose from the barbarous ignorance of the people, who had been rendered ferocious by the animosities which existed among them: that ferocity had given occasion to new restraints on the part of the government, which redoubled the fury of the people."

On the 19th of March, 1799, Lord Grenville, in the House of Lords, said that "the evils of Ireland obviously called for a speedy remedy. The present government had, unfortunately, not grown up with the habits of the people. The English connection was begun among them by the worst of all conquests, one that was partial and incomplete."

In the Irish House of Commons, on the 15th of January, 1800, Mr. Bushe (the late celebrated chief-justice,) exposed the injustice with which Ireland had long been treated by Great Britain, and affirmed that all the concessions of the latter had been wrung from her like drops of her heart's-blood. "For centuries,"

he said, “ the British nation and parliament has kept you down, shackled your commerce, paralysed your exertions, despised your character, and ridiculed your pretensions to any privileges, commercial and constitutional; she never conceded a point to you which she could avoid, or granted a favour which was not reluctantly distilled.”

These are not the complaints of Irish Catholics, or the effusions of discontented political partisans, but the sentiments of grave and dispassionate statesmen belonging to different parties, and professing different opinions; it is a frank confession of Irish oppression, and of English misrule. England has governed herself, that is, she has been governed by the influence of her own public opinion, and by the policy of antagonist parties, which as they successively obtained power, have (however differing in opinion as to the means) alike striven to promote the prosperity and happiness of the English people, and in spite of all errors and misfortunes, and of those vicissitudes to which nations and empires must always be exposed, she has advanced in a continued march of improvement. But upon Ireland a far different experiment was tried: it was neither a Whig nor a Tory policy which ruled that country, nor was there any national opinion by which its government was informed and controlled; an English interest and a Protestant ascendancy had their own way, predominant and unchecked; they possessed unbounded power, legisla-

tive and administrative, and they found universal submission to their will. That vast power, therefore, must be deemed subject to the moral responsibility which its possession of necessity implies, and those who wielded it are answerable for the practical consequences which resulted from their administration. And what was the state of the country which had been thus despotically governed for above a century? Let Lord Clare reply. On one of the debates on the Union, a rival orator objected to the plan of union, that "They were very well as they were:"—"We are very well as we are!" exclaimed Lord Clare. "Look to your statute book; session after session you have been compelled to enact laws of unexampled rigour and novelty, to repress the horrible excesses of the mass of your people; and the fury of murder and pillage and desolation have so outrun all legislative exertion, that you have been drawn to the necessity of putting your country under the ban of military government. . . . Look to your civil and religious dissensions; look to the fury of political faction, and the torrents of human blood that stain the face of your country! and of what materials must that man be composed who will not listen with patience and good-will to any proposition that can be made for composing the distractions, and healing the wounds, and alleviating the miseries of this devoted nation." *

* Speech on the Union, p. 76.

If the Union had been carried out, according to the intentions of the great minister who accomplished it, in all human probability the foundations of peace and tranquillity, of political and social improvement, would have then been laid, and we should now be enjoying the vast benefits of his sagacious and healing policy : but, as it was, though a great political change took place in the relations of the two countries towards each other, little or nothing was done for effecting what Mr. Pitt had declared to be the great object of the Union—"that of tranquillising Ireland, and attaching it to this country." There was an end for ever of all commercial jealousy ; and Ireland, become an integral part of the empire, was to partake, according to the measure of her capacity, in all the advantages which England could obtain by her influence, her ingenuity or her power. But while the interests of the two countries were become one, the cessation of all those separate national causes which had occasionally united the Catholics and Protestants for some common object, served to render the sectarian differences between them more marked, bitter, and irreconcilable, than ever. It is probable that this effect and consequence of the Union had not escaped the penetration of Mr. Pitt ; but it is certain that he was fully determined to bring the question of Catholic Emancipation before the United Parliament. He had given the Catholics to understand that such was his intention, and he lost no time in endeavouring to

fulfil that pledge; but even his power and authority were insufficient for such a purpose. George III., himself in a state bordering on insanity, invoked to his aid all the prejudices of the country, and successfully resisted the policy which was recommended by Mr. Pitt, and sanctioned and supported by every man Whig or Tory who deserved to be called a statesman. It is impossible to conceive anything more lamentable, and if it were not so lamentable, more ridiculous and contemptible, than this transaction. Mr. Pitt resigned; Lord Grenville, Mr. Wyndham, and Mr. Dundas,* retired with him; and Mr. Addington formed a No-popery government out of the dregs of the cabinet.

The genuine spirit of modern Toryism† was still vigorous, and joined to the prejudices and ignorance of the middle classes, it was irresistible. Any king not bereft of his senses, or hardened and blinded by the most incurable obstinacy, would have seen in the unanimous concurrence of the ablest public men, many of whom differed from each other on every other question, a sufficient reason for submitting his opinions to theirs; and he would have been appalled with the prospect of carrying on a government from which every man of capacity and consideration in

* The late Lord Melville.

† It is *modern* Toryism which is anti-catholic, the old Tories were generally Jacobites; and the most furious opposers of all Catholic questions, are the sons and grandsons of those who used to drink the Pretender's health on their knees.

the country was excluded. But no fear or scruple assailed the mind of George the Third, except that of violating his coronation oath; nor could any assurances satisfy him that he might consent to Catholic Emancipation with perfect safety to his conscience.* A great opportunity was here lost, and evils were engendered, which, for many subsequent years, tainted the whole stream of Anglo-Irish politics, aggravated the danger and embarrassment of this country, and prolonged and increased the barbarism and poverty of the other; their consequences were manifested in the insuperable difficulties which for many years prevented any settlement, and when, at last, a settlement was effected, in its being done under such circumstances and in such a manner as to be almost inoperative for the end it professed to accomplish.

If the Irish Catholics, in 1801, had been animated with the same spirit as their descendants in 1828, the fall of Mr. Pitt might have been the signal for an insurrection; but they were again become so lethargic, so disunited and dispirited, that it scarcely produced any visible effect amongst them. Far from

* Even Lords Kenyon and Eldon, the staunchest anti-catholics, told the King he might give his assent to any bill without a violation of his coronation oath, or any danger to his conscience. The King read his coronation oath to his family, asked them whether they understood it, and added, "if I violate it, I am no longer legal Sovereign of this country, but it falls to the house of Savoy."—*Lord Malmesbury's Correspondence*, vol. iv., p. 21.

assuming any menacing attitude, or availing themselves of the war in which the country was engaged, they remained quite passive, and made no attempt to advance their claims ; nor did any Catholic meeting of importance take place till 1805, and then it was not without difficulty that a petition for emancipation was agreed upon.* It is not possible to demonstrate to a moral certainty, that if the Catholic question had been then settled, all the benefits which its advocates expected, would have actually accrued, and that all the evils which have ever since been in operation, would have been averted ; but there cannot be a shadow of doubt that at that time facilities existed for a settlement, which never could be found again. It was in the power of the English government to grant emancipation upon any conditions which they thought it expedient to propose ; and the Catholics were in a temper and disposition to accept, with thankfulness, any reasonable terms. It was part of Mr. Pitt's plan to endow the Catholic clergy, and if this had been done, a connection would have been established between them and the state ; the most urgent of practical grievances, affecting both clergy and laity, would have been removed, and a habit of contentment might, by possibility, have been created, affording the best chance of allaying the enmity with which the Protestant establishment was regarded. It is reasonable to speculate upon what might have been the issue of such moderate and

* Wyse, vol. i., p. 137.

healing counsels. History is said to be philosophy teaching by examples, and history furnishes no example of any country, in any age, which has been governed with tolerable justice, and ordinary prudence, and has at the same time exhibited a state of chronic disease, moral and political, like that of Ireland. We have always had the justest perceptions of the bigotry and impolicy of other nations and governments, and an abundance of pity and contempt for the various manifestations of Spanish or French misrule; but we have shut our eyes and our ears, and closed our understandings, against all the frightful consequences of our own. For years, we attributed the miserable state of Ireland to every cause but the true one; and the great majority of Englishmen preferred to believe that the disorders of that country were assignable to some natural propensity in the people to turbulence and crime, rather than to the system of Protestant ascendancy and Catholic exclusion, by which they were alienated from British connection, and all the sources of improvement were obstructed. What might have been the result of a different system, we are left to conjecture; but we have before us, in appalling reality, all the actual consequences of that which was maintained.

When Mr. Pitt quitted office, he advised the Catholics to act with patience and moderation, to rely with confidence on the support of those who were retiring; and he promised that he would do his

utmost to establish their cause in the public favour, and prepare the way for their finally attaining their object. Lord Cornwallis gave the same advice; but he went further than Mr. Pitt, for he gave them to understand that the eminent persons who were leaving the service of government, would not re-embarb in it on any terms but those of obtaining for the Catholics the privileges to which they were entitled.

Mr. Pitt at first supported the new government, and everything went smoothly on: there was no fear of any violent conduct on the part of the Catholics, and it was less difficult to prevail upon them to be patient, than to get them to act with any sort of concert or vigour in their own behalf. They had yet to learn the lesson which Mr. O'Connell afterwards so continually, and not without necessity, dinned into their ears!

“ Hereditary bondsmen ! know ye not,
Who would be free, themselves must strike the blow ! ”

In 1803, the war on the Continent broke out again, and the public voice soon began to clamour for a more capable administration. Pitt not only ceased to support, but vigorously attacked the ministry; nevertheless, the Tory principle and the king's personal influence were so strong, that the united opposition of Pitt and Fox was barely sufficient to turn out so feeble a government as Addington's.

In 1804, Mr. Pitt resumed office; but his second

administration was very different from his first. He was received with undisguised reluctance by George the Third, was forced to acquiesce, against his own wishes and opinion, in the exclusion of Fox from the ministry, and he entirely cast aside the question of Catholic Emancipation. In 1801, he had scandalised and offended some of his most faithful adherents, by his opposition to the wishes of the king.* It was a maxim of tory loyalty, that the scruples of the royal conscience ought to be respected; and they could better endure that Ireland should continue distracted and discontented, than that the king's darling prejudices should be thwarted. During the interval between Mr. Pitt's retirement and his return to office, the Catholics had done nothing to weaken their claims,—they had abstained from all agitation or importunity; and when war was declared in 1803, their patriotic zeal was conspicuous, and they displayed great eagerness to enrol themselves in Voluntary associations. But at all times the loyalty and forbearance of the Catholics seem to have had more effect in relaxing the efforts of their friends, than in mitigating the hostility of their opponents.

Mr. Pitt, while out of office, changed the opinion which had formed the ground of his resignation in 1801, and upon more maturely weighing the question, and coupling with it the consideration of the con-

* Lord Eldon's Life, vol. i., p. 443. The king's language to the chancellor about Pitt was hostile and contemptuous.

scientious repugnance of the sovereign, he determined never to press upon him again a subject from which he was so averse; and this determination he made known to the king, long before he returned to office, together with an assurance that he would adhere to it, both in office and out.*

In 1805, the Catholic question was first brought before the United Parliament by Lord Grenville (10th of May) in one house, and by Mr. Fox (11th of May) in the other. The motion in the Lords' was lost by a majority of 129. It was in this debate, in the House of Commons, that Mr. Grattan made the first of the many magnificent speeches by which he afterwards immortalised himself. Mr. Pitt opposed the motion, but declared that he saw no danger in granting the claims of the petitioners. He said that circumstances, *in his opinion unfortunate*, had prevented his bringing forward the measure; and as long as they continued to operate, he should feel it a duty to be no party to the agitation of the question. Mr. Pitt's conduct on this occasion, so inconsistent with his language on quitting office in 1801, was severely attacked; and it was contrasted with that

* Lord Melville's Speech in House of Lords, March 26, 1807.—*Hansard*, p. 254. We learn from Lord Malmesbury's Diary, that Mr. Pitt was persuaded by his friends to consent to remain in office, *giving up the Catholic question* in 1801, and his resignation only took effect, because he "would not make a forward movement towards the King, nor Addington a tender of giving up his claim to be first Minister."—Vol. iv., p. 34. "Addington," says Lord M., "stiffened against any share of power with Pitt."—*Ib.* p. 45.

of Mr. Wyndham, who had gone out, but had not come in again, with Pitt. Mr. Wyndham said, that "the only consideration which could have reconciled him to the Union was the prospect of Catholic Emancipation, and that popular clamour and prejudices should not prevent his doing, now, what was fit to be done ; what Mr. Pitt himself thought ought to have been done four years ago, and what he acknowledged must be done hereafter." Mr. Fox's motion was lost by a majority of 212—(336 against 124).

In 1806 the death of Mr. Pitt produced the administration of Lord Grenville and Mr. Fox, who were notoriously convinced of the justice and expediency of emancipating the Catholics : nevertheless they took office with the intention of abstaining from bringing forward any measure for that end. The very able and honourable men who composed that government had, undoubtedly, many important questions to consider besides that of Catholic Emancipation, and they probably exercised a sound as well as conscientious judgment on that occasion.

The Whigs took office without any stipulations, and free to act as they thought fit ; but they determined to avoid, if possible, doing anything repugnant to the feelings and opinions of the king. They recommended patience and moderation to the Catholics ; and they hoped, by a prudent and conciliatory administration, to keep the question at rest : and for a considerable time these hopes were flattered with

success. Towards the end of 1806, disturbances occurred in the west of Ireland, to repress which they were vehemently urged (especially by Mr. Perceval) to have recourse to measures of extraordinary severity : but they determined to trust to the known powers of the law, which happily were found adequate for the purpose.

After this, however, the government were impressed with the necessity of devising measures calculated to conciliate and tranquillise the country ; and, amongst several others which were in contemplation, they brought forward a bill to enable persons of every religious persuasion to serve in the army and navy, without any condition but that of taking an oath therein prescribed. This act was nothing more than the extension of one passed in the Irish Parliament in 1793, by which Roman Catholics in that country were enabled to hold commissions in the army, and attain to any rank except that of commander-in-chief, major-general of the ordnance, or general on the staff, and it was intended to put an end to the extraordinary incongruity of allowing a Catholic to be qualified to serve in Ireland, but disqualified from serving in England, should any circumstance demand his presence in the latter country. One of the strongest grounds for introduction of this measure was, that when the bill of 1793 was passed in the Irish parliament, pledges were distinctly given by Lord Clare, in the

House of Lords, and by Lord Hobart,* in the House of Commons, that a similar bill should be introduced in the British Parliament; which pledges had been ever since unredeemed.

A consent, but a very reluctant one, having been obtained from George III. to this bill, the Lord Lieutenant was directed to communicate to the heads of the Catholics that the army and navy would be opened to them. A meeting was held, at which this information was imparted; when the Irish Secretary, Mr. Elliott, was asked whether it was intended merely to pass the law promised in 1793, or to allow the Catholics to rise to all military offices without restriction? He referred to the Cabinet for an answer to this question. A dispatch, authorising him to reply in the affirmative, was laid before the king, returned by his Majesty without objection or comment, and immediately forwarded to Ireland. Lord Howick moved for leave to bring in this bill on the 5th March, 1807; when it was attacked by Mr. Perceval, who called it "one of the most important and dangerous measures that ever was submitted to the judgment of the legislature." But the measure very soon had to encounter a much more serious opposition than that of the anti-Catholic champion. The king began to make difficulties. He affirmed that he had not distinctly understood the measure; some members of the Cabinet pretended a similar

* Afterwards Earl of Buckinghamshire.

lack of comprehension ; and at length, on the 11th of March, his Majesty announced to Lord Grenville his decided objection to the bill. Discussions and explanations followed, both in the Cabinet and between the Cabinet and the King, and the Ministers at last resolved (though not without many misgivings) to make a sacrifice of their personal feelings, and to abandon the bill altogether. They declared that this sacrifice was dictated by a desire of doing what they conceived most consistent with respect for the sovereign, and their duty as members of the government and legislature ; but they thought that the circumstances which had occurred rendered the administration of affairs in Ireland a matter of so much difficulty and delicacy, that their private honour and their public duty equally required a clear understanding that they were to be at liberty to submit from time to time for his Majesty's decision, whatever measures circumstances might, in their judgment, require ; and a Minute to this effect was drawn up in the Cabinet, and submitted to the King. But George III. was resolved not to leave his victory incomplete. He expressed his satisfaction at the withdrawal of the bill, but demanded that the latter part of the Minute should be cancelled. He declared that he never would consent to any further concessions to the Catholics ; and he insisted on a positive assurance from his ministers, that they would never again propose to him any measure connected with the

question of emancipation. The ministers refused these terms, and the following day they were dismissed.

A No-popery government was instantly formed, of which the Duke of Portland became nominally, and Mr. Perceval really, the head. Lord Sidmouth very truly described the character of this great political transaction :—"There was," he said, "a decisive obstacle in the declared opinion of Parliament, and in the prevailing and understood sentiments and feelings of the people."* It was, in fact, this predominating public sentiment, in entire concurrence with his own, which enabled the king to force every minister, however able or powerful, to abandon or postpone the Catholic cause.

There was, however, without doubt, another motive which could not be avowed, but which strongly operated upon the minds of all the public men of that day—this was the fear of producing so great an excitement in the king's mind as to threaten a return of those alarming symptoms of insanity which had appeared at the time of Mr. Pitt's resignation in 1801, and which many people thought were in great measure attributable to that event.† But although this important consideration, in conjunction with many others, may afford a sufficient justi-

* Debate in the Lords, April 13, 1807.

† It appears clearly that the king was constantly on the verge of insanity for several years—sometimes better, sometimes worse, but always in a state alarming to his ministers, and of which he was himself perfectly conscious.—See *Lord Eldon's Life*, vol. i., *passim*.

fication of the conduct of the Whig ministry, it is easy to imagine what must have been the impression produced upon all classes of the Irish Catholics, by seeing the expulsion of a government, which fell for no other reason but their refusal to abandon the Catholic cause and to bind themselves never again to advocate or support the claims which they had so often declared to be founded as much in good policy as in reason and justice. The Catholics heard it proclaimed, that their sovereign was resolved never to consent, at any time or under any circumstances, to any measure whatever of concession and relief to them. They were told that this resolution was ratified and supported by the voice of the English people. They saw it established as a maxim of government, that the first and most indispensable qualification for office was, an inveterate hostility to their rights and claims—that no man, however patriotic, however able, however competent to serve the state, could hope to become minister on any other condition than that of opposition to their cause; and they beheld a statesman raised to power who had principally distinguished himself by the vehemence of such opposition—who had rebuked the former government for the mildness and forbearance of their Irish administration, and exhorted them to adopt measures of violence and terror—who had expressed his determination to maintain Protestant ascendancy, and said in his place in Parliament,

that "sound policy and discretion dictated a declaration that everything which toleration required, and the Catholics had a right to demand, had already been done for them;"—could it be expected, if the Catholics had the passions and the spirit of men, that they should not throughout their whole body, consisting of millions, be animated with the deepest feelings of resentment and indignation? What motives could be found for their loyalty to the British crown, and their fidelity to the British connexion, when the crown and the people united in proclaiming a ban of perpetual exclusion against them? There was, indeed, no outward or corporate manifestation of their sentiments. "The Catholic had not yet acquired the habit of walking upright—he was still a novice in freedom."* There was as yet no unanimity, no combination amongst them, and consequently no practical results were produced. There had been a succession of committees and sub-committees, of boards, associations and aggregate meetings, engendering all sorts of projects, which the jealousies and disunion of the principal actors constantly rendered abortive. Still the spirit, though unseen, was circulating throughout the mass, fermenting and waxing strong. New men with fresher feelings, more determined minds, and more sanguine hopes, rose upon the surface. In 1810, for the first time, the Catholic barristers came forward on the

* Wyse, vol. i., p. 137.

popular side; and it was at one of the meetings which took place in the course of that year, that the extraordinary man whom history will hereafter confess to have been the real Conqueror of Catholic Emancipation, made his first appearance.

The administration of Mr. Perceval, the grand principle of which was Catholic exclusion, lasted from 1807 to his death, in 1812. One of his first measures was to pass the Insurrection Act, which gave power to the lord-lieutenant to place any district, by proclamation, out of the pale of the ordinary law: it suspended trial by jury, and made it a transportable offence to be out of doors from sunset to sunrise. It is fair to state that he inherited this act from his predecessors, who had deemed it necessary, in consequence of the disorders which had prevailed during the preceding year. The Whigs, when in office, had drawn the bill, and they did not oppose it in its progress through parliament, but they accompanied their acquiescence with earnest recommendations of a policy of concession and conciliation; and from this time the Catholic question was strenuously and continually urged with the whole strength of that party. Mr. Perceval was a worthy and an amiable man, of very strong religious opinions, and with considerable talents and great parliamentary dexterity. He would have been well-content to administer the Irish government in a spirit of justice and clemency, and he had

every desire to promote the general interests of the country, as far as their advancement was compatible with the maintenance of Protestant ascendancy and Catholic exclusion.* But Mr. Perceval, and many others like him, never would understand, or never would admit to themselves, that the system they upheld was itself irreconcilable with the practice of justice and humanity; however beneficent might be the disposition of the supreme powers, the local and subordinate authorities to whom the administration of all the functions of law and government were intrusted, had long been accustomed to the exercise of an overbearing and insulting superiority, which displayed itself in numberless minute transactions of common life. In order to maintain this cherished ascendancy, the government was compelled to ally itself with the Protestant minority, to make them the sole recipients of favour and patronage, and encourage them in all the immunities and license of a privileged class; the consequence was, that the Catholic masses nourished a deadly hatred, both to the government and the law; they regarded the latter as an instrument, not of protection, but of oppression; and the evils they really smarted under were enormously exaggerated by the bitterness which the contrasts and comparisons they were eternally making between their own condition and that of

* The Insurrection Act was repealed during his government (in 1811).

the Protestants did not fail to generate; and these feelings of mixed humiliation and exasperation sunk so deep into the minds of the people, and were allowed to rivet themselves there so strongly, that when emancipation did at last come, it failed to eradicate them.

I will pass over the debates and discussions which occupied either house, upon various collateral matters, relating to the Catholics, and briefly exhibit the parliamentary progress of the great question from this time.*

In 1808, it was debated in the House of Lords (May 27th), and lost by a majority of 87—(74 against 161).

On the 25th of May, 1808, Mr. Grattan brought forward the Catholic petition. The debate was chiefly remarkable for the part taken in it by Lord Castlereagh and Mr. Canning—they both opposed the

* In the House of Commons a discussion of some interest took place upon the grant to Maynooth. £8000 had been the sum originally granted. £13,000 had been voted by the last Parliament the preceding year; but before this vote could be completed the Parliament was dissolved. The new ministers wished to resort to the smaller sum; but finding the trustees had acted in the expectation of receiving the larger, they consented to it for that year, but now proposed to give £9500—something more than the old, but considerably less than the increased grant. This miserable parsimony was well calculated to excite disappointment and resentment. It was vainly urged that the sum was wholly insufficient for the purpose contemplated by the grant. Mr. Perceval said that it was as much as could be reasonably asked to educate 250 persons at the public expense, whom, with 111 educated privately, he pronounced to be amply sufficient for the Catholic ministry.

motion, but neither of them opposed *the question*—the former dilated on the mischief of agitating it at that particular time, and the hopelessness of carrying it: Mr. Canning took the same ground, adding, that nothing had been said which could be a bar to the future claims of the petitioners, but that “it was not in the power of speeches so wise, so eloquent, and so good as that of the Right Honourable gentleman, (Mr. Grattan,) to obtain the victory over the passions and prejudices of men.” The division was 128 for—281 against: majority, 153.*

In 1809, the Duke of York’s affair absorbed all public interest, and nothing in favour of the Catholics was attempted. In 1810, the campaign was vigorously carried on. There was a debate in the Lords on the 6th of June, with a division of 68 against 154: majority, 86.

On the 18th of May, Mr. Grattan took the field, and after three nights of debate, was defeated by a majority of 104:—109 to 213. On this occasion Mr. Canning was silent. Lord Castlereagh spoke, and much to the same purpose as before; but saying, “he never meant to force the Protestant mind,” alluding also to other insuperable bars, and “the same considerations by which Mr. Pitt had been

* Mr. Grattan’s speech, in 1808, was memorable for having first mentioned the veto, to which he said the Catholics had authorised him to consent. This proposition afterwards gave rise to the most furious dissensions and disputes, and was productive of infinite mischief to the Catholic cause.

influenced." There, in truth, was the rub, the insurmountable prejudices of the King and the Protestant mind, impenetrable by reason, and not yet sufficiently worked upon by interest and fear.

In October, 1810, George the Third's malady began afresh, and towards the end of the year all hopes of his recovery having vanished, measures were taken for appointing the Regency. The approaching accession of the Prince of Wales could not fail to raise to a high pitch the hopes and expectations of the Catholics. He had long been connected with the party which had forfeited political power by its advocacy of their cause, and he had professed himself to be their friend and supporter. No doubt was entertained that there would be an immediate change, both in the cabinet and the policy of the former reign. The ministers had deeply offended the Prince by following, in respect to the Regency, the precedent of 1788, while the whole Whig party had strenuously fought against the proposed restrictions. Everybody expected that Mr. Perceval would be dismissed; and all the details of the new government—even the distribution of places—were confidently proclaimed by the political gossips, whom such occasions invariably call into activity.* The ministers themselves believed that they would go out. All speculation and doubt were, however, set at rest by the Regent's letter to Mr. Perceval,

* Wilberforce's Life, vol. iii., p. 493-4.

(February 4th,) in which he announced his intention “not to remove from their offices those whom he found there;” but at the same time intimating that he was not actuated by any favourable sentiments towards them, but retained them solely, lest their removal might be prejudicial to his father’s recovery. This announcement was calculated to confirm the prevailing expectation, that the term of the restrictions would likewise be that of the Perceval government; but the ministers made such good use of the interval, and so completely ingratiated themselves with the Regent, that long before the expiration of the year, the Whigs had the mortification of being obliged to resign all expectation of superseding them.* The ministerial arrangements were no sooner definitively settled, than the Catholic war began afresh. Two discussions took place on Mr. W. Pole’s circular letter, on the 22nd of February and 8th of March, 1811; and on the 31st of May, Mr. Grattan brought forward the Catholic petition, which was rejected by a majority of 61—(146 to 85)—as was a similar motion in the House of Lords, by 59—(121 to 62).

In 1812, parliament met on the 7th of January, and a few days after the meeting, and before the restrictions had ceased, the Catholic question was brought forward in both Houses—it was defeated in the Lords by a majority of 162, and in the Commons

* Lord Eldon’s Life, vol. ii.

by 94. Lord Wellesley in one house,* and Mr. Canning in the other,† spoke strongly in favour of concession, but deprecated discussion *at that moment*; and both voted against the motions.

In the beginning of 1812, the King's malady was so confirmed, that the possibility of his recovery was no longer contemplated—the restrictions ceased, and the reign of George the Fourth virtually began.

The Roman Catholics had now every right to expect that the current of royal influence would be turned in their favour. The great obstacle to their emancipation was removed; for they had been told over and over again, that it was the strength of George the Third's conscientious objections, and the danger of driving him mad, which had formed the insurmountable bar to their claims: nor was it from the general course and context of the Regent's political opinions, nor from any vague professions proceeding from his mouth, that they formed their hopes and expectations of his conduct to them. In 1806, he had caused a formal communication of his intentions to be made to them, in terms the most explicit and intelligible, and through such high channels, that no doubt of his sincerity or his earnestness could possibly be entertained. He had desired the Duke of Bedford and Mr. Ponsonby, (the lord lieutenant, and the lord chancellor of Ireland,) to convey to Lord Fingal the assurance of his

* 31st January, in Lords ; † and 3rd February, in Commons.

determination, whenever he should be called to the throne, to promote their cause by all the means in his power, together with the expression of his hopes, that this expectation would induce them to wait with patience and resignation till the time should come when he would have it in his power to redeem this pledge.*

The restrictions on the Regency expired on the 18th of February, 1812; but it soon appeared that the new reign had made no difference whatever in the state of the Catholic question: it was first discussed incidentally, on a motion in the House of Lords, for an address to the Regent, requesting him to form a more efficient administration, which was defeated by a majority of 165. On the 21st of April, 1812, the subject was brought regularly before the House of Lords, and, on the 22nd, before the House of Commons. In these debates, Lord Wellesley in one house, and Mr. Canning in the other, strongly supported the motion for going into a committee.† Lord Castlereagh, who had again joined the government, continued to urge the old objection, that the question of concession could not *then* be conveniently agitated. In the House of Lords the majority was

* Vide Hansard's Debates, vol. xxii., p. 1011, and Mr. Ponsonby's speech, in which he states the fact of the communication, and vindicates the revelation of it in terms of great asperity against an attack of Lord Castlereagh's.

† Lord Wellesley had resigned on the 19th of February, and Lord Castlereagh had succeeded him at the Foreign Office.

174, and in the Commons 85, against the proposed committees.

The Catholics had now the bitter mortification of discovering that the hopes and expectations with which the professions and promises of the Prince Regent had naturally inspired them, were altogether vain and delusive. He had retained a ministry formed upon the principle of Catholic exclusion, and the prospect was presented to them of another reign, as far as they were concerned, in all respects similar to the last. The fact is, that the Prince never had any political convictions, nor was in reality impressed with the truth and justice of the liberal sentiments he had been in the habit of professing. He had allied himself with the Whigs, because they were in opposition to his father; but when he got into his father's place, a very short experience of Tory government was sufficient to extinguish the slight attachment he had ever felt for the Whig party, or for Whig principles, and to give him a decided inclination for the persons and the policy of the existing cabinet. Finding the ministers exceedingly respectful and compliant, he soon got over the resentment which the restrictions had at first excited in his mind. For the chief Whig leaders he had no predilection—he was awed by the austerity of Lord Grenville, by the dignity and independence of Lord Grey, and he disliked them both. The Whig doctrines, which were suitable enough to an heir-apparent, in opposi-

tion, had little attraction for a sovereign in possession; and although, like his grandfather and his great grandfather, he had put himself in constant opposition to his father, he was, nevertheless, in a great degree impressed with the same feelings of awe and veneration for the king, which were common to all his family. It was not indeed possible for his nature to emulate the virtues and the high qualities which George the Third undoubtedly possessed, but he could imitate him in the worst parts of his character, and make himself the heir of his prejudices; and having, in all probability, some vague notion that his father's anti-Catholic obstinacy was a principal source of his popularity, he speedily resolved to cast to the winds all his former professions and engagements, and to follow the example of the old king, without having the same excuse of deeply rooted and conscientious convictions. It soon after appeared, that while he was determined to give nothing to the Catholics, if he could possibly avoid it, his scruples were not so rigid as to prevent his yielding, if circumstances made it expedient for him to do so.

On the 11th of May, 1812, Mr. Perceval was assassinated; and this event produced various negotiations for the formation of a more efficient and comprehensive administration. Lord Wellesley and Mr. Canning at once declined taking office, if the principle of resistance to all consideration of the Roman Catholic claims was to be continued.

When application was made (through Lord Moira) to Lords Grey and Grenville, they were distinctly informed that all the great and leading questions of policy, which of course included Catholic emancipation, were to be dealt with according to their will.*

These negotiations having all failed, the Perceval cabinet was reinstated, with Lord Liverpool at its head, and without any change of policy, except the recognition of the Catholic question as an open one, without which stipulation Lord Castlereagh would not have consented to remain.†

There was at first every appearance that this stipulation was really to be the precursor of a settlement of the question; for, on the 22nd of June, Mr. Canning moved a resolution, "that the House of Commons would, early in the next session, take into its most serious consideration the laws affecting the Roman Catholics;" and this motion was carried by a majority of 129; while a similar motion in the House of Lords was only lost by one.

In September, 1812, however, parliament was dissolved, and the pledge which the House of Commons had given of course died with it.

During the interval, the Catholic question raged violently out of doors: the no-popery cry was loud in the land, and it was soon seen that it had not been raised without effect.

* Lord Eldon's Life, vol. ii.

† Sir R. Peel's Speech on Catholic Question in 1829.

As soon as the parliament met, in 1813, the tables of both Houses were loaded with petitions, principally *against* the Catholic claims—great complaints were made of the manner in which some of them had been got up in Ireland, where it was alleged that the sheriffs had convened the Protestant inhabitants, and attempted to give to such partial meetings the authority of public assemblies.

On the 25th of February, 1813, Mr. Grattan moved that the House should resolve itself into a committee, for the object specified in Mr. Canning's resolution, adopted a year before;—the motion was carried by a majority of 40—(the numbers were 264 to 224)—and on the 9th of March, the House went into committee: that night was occupied by a debate upon a resolution affirming the expediency of removing the Catholic disabilities, which was carried by a majority of 67. On the 30th of April, the bill was brought in: the second reading came on upon the 11th of May, and on the 13th it was carried by a majority of 48—(235 to 187). It was committed on the 14th, but not further discussed till the 24th, on which day Speaker Abbot (who had led the anti-Catholic attack on the 9th of March) moved, that the words, "to sit and vote in either House of Parliament," should be left out of the bill; and this motion having been carried by a majority of 4—(251 against 247), Mr. Ponsonby immediately declared, that stript of this

essential clause, the bill was unworthy of the acceptance of the Catholics, and the support of their friends, and he at once flung it up; Grattan, however, gave notice that he would bring in another bill early in the next session.

Thus were the hopes of the Catholics dashed to the ground, at the moment when they seemed, according to every political probability, on the point of accomplishment. In the unreasoning mass, this disappointment was sufficient to excite bitter feelings of resentment; but in the higher and educated classes of the Catholics, the circumstances attending it were such as might well raise in their minds sentiments of mingled indignation and contempt.

The debates, and the divisions which had recently taken place, were truly remarkable: that of the 11th of May, 1813, will be for ever memorable for the speech of Lord Plunkett, a speech, which was said to bring back the days of Pitt, and Fox, and Burke, and which produced at the time an unparalleled sensation and effect. But it is impossible to look back at the debates and speeches on this question, without thinking what practical contradiction they afford to the saying of Burke, that "government and legislation are matters of *reason* and *judgment*, and not of inclination."* Here was, session after session, a display of reason, and judgment, and

* Speech at Bristol after his election.

eloquence, the like of which was never heard within the walls of parliament, upon any one question besides ; and session after session it was met by the same tedious objections and shallow sophistry which were just sufficient to convince those who had no doubt before, and sustain the obstinacy of the sturdy bigots who were determined never to surrender. Nor was the contrast between the speeches greater than might be expected from the names of those who spoke or voted on either side. These lists are a curiosity. If it be not a matter of indifference whether the policy of a country is directed, and its legislation framed, by the wisest or the weakest of its citizens—if there be anything in great names, great talents, and great experience—if, according to all human reasoning, a nation may be expected to flourish or decay, according as its councils are influenced by the ablest or the most incapable of its public men, what will be thought of the history of the Catholic claims and of their continued rejection, coupled with the enumeration of their advocates and their opponents ?

I have taken the division of the 24th of May, selecting from the one list every man of any note or distinction, while from the other many names fully equal in reputation and capacity to the greater part of the first are omitted, and only the most remarkable extracted.

The anti-Catholic list contains the following :—

PEEL, (now Sir R.)	GOULBURN, (present Chancellor of
SIR W. SCOTT, (late Lord Stowell.)	the Exchequer.)
DR. DUIGENAN.	SIR J. NICHOLL.
SIR W. GARROW, (then Attorney- General.)	G. ROSE.
	R. RYDER.
SIR C. WETHERELL.	M. SUTTON, (Lord Canterbury.)
SERJEANT BEST, (Lord Wynford.)	N. VANSITTART, (Lord Bexley.)
BRAGGE BATHURST.	C. YORKE.

By far the most eminent of the above names are those of Sir Robert Peel, then a very young man, just entering into public life, whose great reputation was rather promised than acquired, and of Sir William Scott, who never took much part in politics, or was considered as a statesman. Now turn to the other list, which contained all the eloquence, all the wit, all the wisdom of that House of Commons ; all the then existing, and most of the future celebrities of England :—

CANNING.	HUSKISSON.
LORD CASTLEREAGH.	LORD PALMERSTON.
GRATTAN.	A. BARING, (Lord Ashburton.)
PLUNKETT, (Lord Plunkett.)	V. FITZGERALD, (Lord Fitzgerald.)
G. PONSONBY, (then Leader of the Opposition.)	C. GRANT, (Lord Glenelg.)
WARD, (Lord Dudley.)	ALTHORP, (Lord Spencer.)
WHITBREAD.	SIR J. NEWPORT.
WILBERFORCE.	CREEVEY.
GENERAL FITZPATRICK.	CROKER.
LORD JOHN TOWNSHEND.	LAMBTON, (Lord Durham.)
JEKYLL.	WORTLEY, (Lord Wharnccliffe.)
TIERNEY.	LAW, (Lord Ellenborough.)
SIR S. ROMILLY.	LEACH, (Master of the Rolls.)
W. ELLIOT.	EBRINGTON, (Lord Fortescue.)
	SIR F. BURDETT.

SIR J. HOBHOUSE.	W. POLE, (Lord Maryborough.)
SIR H. PARNELL, (the late Lord Congleton.)	ROBINSON, (Lord Ripon.)
SIR A. PIGOTT, (Whig Attorney-General.)	ABERCROMBIE, (Lord Dunfermline.)
	C. W. WYNNE.

Such was the intellectual disproportion between these otherwise nearly balanced parties. For the misfortune of the country and for his own, the weight of Sir R. Peel was just at this time cast into the anti-Catholic scale. He came into public life with the impressions of his education still uncorrected; he found a great party in want of an efficient leader, and he stepped at once into the vacant place. No doubt his convictions were as yet sincere and unshaken; but it is difficult to believe that a man so able and so devoid of prejudices, would not (if he had not early and irretrievably committed himself) very soon have adopted more liberal opinions, and have united himself with more congenial minds. As it was, however, his accession to the Anti-Catholic side was attended with the most important consequences, and largely contributed to protract the contest and foster the spirit which sustained it.*

* By the end of 1813 the Regent had become strongly anti-Catholic; Lord Eldon writes (Nov. 13, to Dr. Swire,) "*My young master, who is as eager as his father was upon that, and of the same way of thinking,* seems to me to be looking out very seriously for those who are able and willing to support Church and State as we have had them in times past."—Vol. ii., p. 245.

From this time the cause of the Catholics began to retrograde, not so much from any relaxation of the zeal of their supporters, as from the violent dissensions which raged amongst themselves, and the fresh disturbances of which Ireland became the theatre, both which causes combined to disgust and estrange many of their friends, and to increase the rancorous opposition of their enemies. For many years the Irish Catholics fluctuated between a state of fatal dissension and division, and the most deplorable apathy and inaction. Nothing more contributed to the former than the famous Veto question, which was debated with an acrimony, and produced a disunion, unspeakably prejudicial to their cause. Into the details or the merits of this much vexed question, and the disputes amongst the Catholics themselves upon it, it would be useless and tedious to enter. The clergy and great majority of the laity took one side, and most of the aristocracy the other. The former became intolerant and despotic, the latter timid, indolent, and despised. The Catholic Board however (as the existing association was called), though deserted by the higher classes, under the direction of Mr. O'Connell, who swayed all its councils, appeared so formidable, and its proceedings were so violent, that government, with very questionable discretion, resolved to suppress it. Accordingly, on June 3rd, 1814, the Lord Lieutenant issued a proclamation, declaring the Board contrary

to law, and giving notice that if it should renew its meetings, all the members attending it would be proceeded against. The immediate effect of this stroke of authority was, to excite the indignation of those against whom it was aimed, and to restore in some degree the unanimity that had been interrupted. An aggregate meeting took place, at which Mr. O'Connell moved a resolution, denying that this Board was an unlawful assembly, and asserting the right of petitioning for the redress of any public or private grievance; and on the 13th December a meeting of the Catholic Committee took place at Lord Fingal's house, which was attended by some who had formerly seceded, Lord Fingal himself among the number.

In the spring of 1814, Ireland had exhibited a scene of outrage and violence which was not less detrimental to the Catholics than the unabated dissensions among themselves; and Mr. Grattan felt so strongly that in existing circumstances no proposal in their favour had a chance of success, that on the 27th May he announced in the House of Commons his determination not to bring forward the motion of which he had given notice at the end of the last session.

In 1815 Irish disturbances continued to increase, and the powers which had been already given to the government (in 1814) being found insufficient to repress them, in the month of September the Insur-

rection Act was renewed. Meanwhile, the Board having been put down, an aggregate meeting was held on the 14th June, 1815, at which Lord Fingal was invited, but refused, to take the chair. Mr. O'Connor was then called to preside, and a petition to Parliament was voted, praying for unqualified emancipation, which petition* the leaders in both Houses declined to present, though still declaring themselves friendly to the principle of emancipation.

This petition, on Grattan's refusal, was intrusted to Sir Henry Parnell, who presented it, and moved for a committee on the 30th May; its reception was not promising. Sir J. C. Hippisley, for many years Grattan's regular seconder, directly opposed it; Mr. Plunkett staid away; Lord Castlereagh gave it a qualified and reluctant support;—Grattan himself condemned the application for unqualified emancipation, and the motion was finally negatived by a majority of 81.†

The Catholics were now divided into two parties, each having its organ in the House of Commons;—Grattan representing the aristocratic minority and Vetoists—Parnell, the clergy and the great majority of the laity, who were all violently opposed to any ecclesiastical interference. In the session of 1816 proceedings began by a motion on the state of

* Mr. Grattan and Lord Donoughmore.

† Pictorial History of England. vol. iv., George the Third, p. 625.

Ireland by Sir John Newport, who was beaten by a majority of 84. On the same day (April 26th) Sir H. Parnell presented his petition, and on the 15th May Mr. Grattan presented the other. On the 21st Grattan made his motion relative to that petition; and, as it was seconded by Sir H. Parnell, it was evident that the two leaders were disposed (though representing dissentient sections of Catholics) to act in perfect harmony together. This motion was defeated by a majority of 41. On the 30th May Parnell presented a petition from the Catholic bishops and clergy, and on the 6th June he brought it under the notice of the House; but was eventually induced to withdraw his resolutions.

In the House of Lords the Catholic question was again brought forward by Lord Donoughmore on the 21st June; and while the majorities against it had increased in the other House, that in the Lords was on this occasion reduced to 4—(73 to 69).

In 1817 (May 9th) Mr. Grattan again stood forward as the sole representative of the Irish Catholics. In the debate on this occasion, the most remarkable incident was the declaration of Mr. Yorke (who had always heretofore opposed the Catholic claims) that he should be disposed to give up his opposition upon certain conditions, to which Sir H. Parnell said they would not be unwilling to consent. The motion was lost by a majority of 24: and one of Lord Donoughmore's to the same effect,

in the House of Lords, by a majority of 52. The speech of Mr. Yorke in the House of Commons was a sign not to be mistaken, that the cause was advancing; and further proof was given by the passing of "an Act to regulate the administration of Oaths in certain cases to Officers in his Majesty's Land and Sea Service." By this Act the Catholics virtually obtained the right of promotion to the higher commissions in the army and navy; and this measure, the proposal of which in 1807 overthrew the Whig ministry, now passed unopposed and almost unnoticed. In 1818 nothing was done; but in 1819, on the 3rd May, Grattan performed the last of his long and brilliant services to the Catholic cause: his motion was only lost by two votes. Lord Donoughmore's, in the House of Lords, was rejected by a majority of 41. In 1820 the death of Grattan, and the Queen's trial, which absorbed all interest, and superseded every other political question, prevented any Catholic discussion taking place; but as soon as the session of 1821 was opened (on the 28th February) Mr. Plunkett, on whom the great office of Grattan had devolved, moved for a committee. His motion was agreed to, *pro formâ*; and he brought in two bills* into which he had digested his scheme. They were vehemently opposed in every stage, and no effort was left untried to strip them piecemeal of all their efficacy and value.

* They were afterwards consolidated.

On the 23rd March there was a division about the oath of supremacy, when the majority was 14—(230 to 216).

The second reading (March 16th) was carried by a majority of 11 (254 to 243). On the 26th March Mr. Bankes proposed a clause for excluding Catholics from Parliament, which was lost by 12 (223 to 211). On the 27th Mr. Peel moved that Catholics should be excluded from the Privy Council and the judicial bench, when he was beaten by a majority of 43 (163 to 120).

On the 2nd April, the third reading was carried by a majority of 19 (216 to 197); and thus for the first time a bill of emancipation forced its way through the House of Commons. Mr. Croker had proposed a clause to enable the Crown to make a provision for the clergy, which was resisted by Lord Castlereagh on the old objection of being "premature," and it was consequently withdrawn.

On the 3rd of April the bill was taken up to the House of Lords, where, on the 16th, the second reading was lost by a majority of 39 (159 to 120).

Thus were the Catholics, when they had got half-way towards the goal, thrown back into their former position. But matters had already got into such a state, that while the Catholic question was evidently advancing, difficulties without number thickened round its progress. The bill had passed the House of Commons with hard fighting, and by small

majorities, and these small majorities had only been attainable by the insertion of provisions so distasteful to the Catholic clergy, that though its ultimate defeat was well calculated to produce exasperation, its success would have afforded very imperfect satisfaction to the great body of the Catholics.

It was impossible to get this question dealt with in a large, liberal, and comprehensive spirit. The opponents of the measure went on harping upon theoretical objections, remote contingencies, and possible dangers, and obstinately refused to look at the real, urgent, and incalculable danger which stared them in the face, and kept swelling day by day into more appalling magnitude—the danger resulting from the concentration, direction, and operation of a vast moral and physical force—of the power of a mass of many hundreds of astute and educated men, and of many millions of uneducated but sturdy and excitable men. This danger had not, indeed, as yet begun to manifest itself in the completeness of its eventual organisation, but the fatal results of delay had been again and again predicted and deprecated: and it must ever be the reproach of the anti-Catholic party, that they were so long blind to the consequences of the policy in which they persisted—that they fancied it would be possible to maintain that policy *ad infinitum*, and that no one amongst them had the slightest forecast, or most distant imagination of that force, whose

menacing attitude at last terrified King, Lords, and Commons, and the British nation itself, into such a reluctant and discreditable capitulation.

In the summer of 1821 George IV. went over to Ireland. The novelty and delight of a king's visit silenced for a time all lamentations and grievances, and excited a tumult of royal enthusiasm. His infidelity to the Catholic cause seemed to be entirely forgotten. He was hailed with every demonstration of devotion and attachment, and nothing was heard but pledges of reconciliation and oblivion. O'Connell and Sir Bradley King—the Popish leader, and the Orange alderman—rushed into each other's arms. It was a brief moment of peace, union, and joy, just as hollow and transitory as it was noisy and ostentatious. The king made pretty speeches, shed tears, and sailed away, leaving a farewell letter of good advice.* Nothing was done, or attempted, by the government; and at the end of this glorious year all the usual outrages, robbery, murder, and every species of violence, broke out with redoubled fury.

Such was the state of affairs when an experiment was made of the "open question" principle. Lord Sidmouth resigned, and Mr. Peel, as Secretary of State for the Home Department, assumed the chief direction of Irish affairs. On the other hand, Lord Wellesley, the stanch advocate of the Catholics,

* Wyse, vol. i., p. 192-3.

became Lord Lieutenant, and the ultra-Protestant Attorney-General Saurin was removed to make room for Plunkett, the successor of Grattan, and representative of the Catholics in the House of Commons. Nobody knew what to make of all this; various suspicions and conjectures were rife, and serious inconvenience and embarrassment were soon felt from such a strange piebald Administration. It does not seem to have required any extraordinary sagacity to discern that such must inevitably be the case; and in 1829 all the evils which resulted from such an arrangement,* were revealed to us by Sir Robert Peel, when we learnt that the system so hateful to the Catholics, had been all the while maintained at the expense of practical mischief to the Imperial Government, of the gravest description.

Nothing could be more deplorable than the condition of the country—nothing more rabid than the parties into which it was divided; the prevalence of crime and disorder called for strong measures, legislative and executive. The Insurrection Act was renewed—the Habeas Corpus was suspended—the Government exerted itself with vigour, and at the same time with moderation, in the suppression of the evil: but the Lord Lieutenant's conciliatory intentions had more effect in disgusting and exasperating the Protestants, than in giving satisfaction to the Catholics, who perceived that he was unable

* Sir R. Peel's Speech on Roman Catholic Question in 1829, p. 14.

to do anything material to serve them; while the former were outrageous at the disposition he evinced, and at the discouragement which they apprehended they themselves were likely to experience at his hands.

About the end of April, 1822, something like quiet began to be restored to the disturbed districts; but at this time a still more dreadful evil, in the shape of famine, (together with typhus fever, produced by it,) made its appearance. Before the beginning of May, all Munster and Connaught were in a state of starvation; and there was scarcely a town in the south in which hundreds of able-bodied men were not wandering about in search of food. As a great disease is often found to absorb or destroy a less, the prevailing famine seems to have quelled the spirit of disorder; for while it lasted, the outrages against the law were comparatively few. In this miserable calamity everything was done by the government and the legislature which humanity and prudence could dictate: and all the resources of private charity were spontaneously and liberally poured forth. Enormous sums were raised in this country by subscriptions and collections, and the Irish could not complain of any want of sympathy and charity on the part of their English fellow-subjects; still there was no question of striking at the root of all these evils, and introducing measures calculated to effect a permanent improvement. England was satisfied to give Ireland food to relieve

her hunger, and coercive acts to suppress and punish her disorders; but more than these palliative and temporary remedies, she was firmly resolved not to grant; and the very reasons which ought to have been imperative for making the greater concessions which were so continually urged, were those which induced her to persist in refusing them.

In 1823, many of the friends of the Catholics, Mr. Canning* amongst the number, (who had, on the death of Lord Castlereagh, become Minister of Foreign Affairs and leader of the House of Commons), thought it advisable that their claims should not be discussed during that session; this opinion was, however, overruled; but such violent hostilities broke out between the advocates of emancipation, that it was clear their cause would not be much advanced at this time. Sir Francis Burdett and Mr. Brougham attacked Mr. Plunkett and Mr. Canning with a vehemence and asperity which was very nearly producing two duels; and the House of Commons was on the point of seeing the ridiculous and indecent spectacle, of the leaders of the Government and of the Opposition, marched out by the serjeant-at-arms, to prevent their shooting each other, on account of a matter on which they entertained precisely similar opinions.

* Mr. Canning brought in a bill (30th April) for allowing Catholic Peers to sit in the House of Lords; which passed the Commons by a majority of 5, and was lost in the Lords by 42.

After this personal affair was settled Mr. Plunkett brought on his motion, but a large body of the Opposition seceded, declaring that it was a mere farce to debate the question; and that it was far better to tell the Catholics, once for all, that their condition never should be bettered, or Protestant ascendancy relaxed. The majority against Mr. Plunkett's motion (which was taken on a question of adjournment) was 202.*

In 1824, though the country was not free from disturbances, they were of a mitigated character, and a considerable approach had been made to tranquillity and order. In Parliament there was a change in the tactics of the advocates of emancipation; instead of bringing forward the usual resolutions, a committee of inquiry was moved for by Lord Althorp in the Commons, to which Government agreed, but limited the scope of it; and a similar committee was moved for by Lord Liverpool in the other house.† The two parties seemed inclined to rest upon their arms, and await the result of this investigation, but in the mean time a great change had taken place in

* This majority was a mere accident. Parties lost their temper, and the division was quite a surprise.

† Lord Althorp proposed an inquiry "into the state of Ireland;" the amendment substituted was, "into the nature and extent of the disturbances," &c. The amendment was carried by a majority of 48. In the Lords, Lord Lansdowne moved an amendment which was lost by 30—20 against 50. The distinction was quite immaterial, for the evidence brought before the committee embraced every imaginable topic connected with Ireland.

the aspect of affairs, and in the situation of the Irish Catholics on the other side of the Channel. A mighty power had arisen, which suddenly swelling into gigantic proportions, laughed to scorn all attempts to arrest its progress, and restrain its growth; and evaded with consummate dexterity, or broke with Herculean strength, all the fetters with which the government or the legislature endeavoured to bind it.

X Nineteen years had now elapsed since the Catholic claims had been first brought under the consideration of Parliament. In the course of that period, besides collateral discussions without number, the main question itself had been debated no less than thirty-three times.* In these debates, the superiority on one side was so manifest and striking, that disseminated as the arguments were throughout the country, they could not fail to produce a certain effect, but that effect had been far from sufficient to overcome the deeply rooted prejudices of the nation, and there appeared, at the end of 1824, no nearer approximation to a final settlement than there was in 1805. The successor of that inveterate enemy of the Catholics, George the Third, had apparently become as averse from the removal of their restrictions as his father before him. Their friends in the House of Commons were abusing and accusing each other. The question, which had been for many years nomi-

* Twenty-two in the House of Commons, and eleven in the House of Lords.

nally "open," was practically as close and exclusive as ever; and everybody began now to believe that, though Catholic Emancipation might continue to be periodically discussed, there was little chance of its ever being carried. In this low condition of the cause, Mr. O'Connell came forward, and "with the reachings and graspings of a vivacious mind,"* gathered it into his own hands, and began that rapid and astonishing career, which bore down every impediment; animated friends, terrified foes, and by his indomitable energy and genius, triumphantly carried through, in less than six years, that which the greatest statesmen of the age had been unable to accomplish in twenty. Whatever may be the faults of Mr. O'Connell, and however inexcusable his subsequent conduct upon the question of Repeal, it is impossible to wonder at the influence which he acquired over the Irish people, and at their boundless devotion to his person, and obedience to his will. What Irish Catholic can ever cease to regard with enthusiastic feelings of gratitude and admiration, the liberator who broke their chains and enabled them to stand "regenerated and disenthralled?" It was in 1823 that Mr. O'Connell and Mr. Sheil met by accident at the country-house of a common friend; there they agreed upon endeavouring to rouse their Catholic countrymen; and there they laid the foundation of the Catholic Association.†

* Burke.

† Wyse, vol. i., p. 199.

The first summons which they issued was treated with scorn or neglect, but the discussions to which it gave rise, speedily attracted public attention and excited public feeling. The Association was formed ; and though consisting at first of only a few individuals, it rapidly increased, and soon comprehended all classes of Catholics in the list of its members. The nobility, the gentry, and the clergy, forgot their former feuds and dissensions, and zealously united in promoting the common cause—the people were appealed to with entire success—the Rent was established, and the organization of this mighty power was rapidly completed in all its perfection and extent.

Nothing had ever been seen before like this popular, general, and enthusiastic, but peaceful insurrection—it was the object of the leaders to make a great display of their power, and to exercise it beneficially for the country ; at the bidding of the Association a tranquillity and abstinence from outrage were produced, such as all the authority of government and all the penal and coercive acts of Parliament had never been able to effect. But while they inculcated peace and good behaviour to the people, the debates in the Association itself were to the last degree intemperate and audacious. In England, the proceedings of this self-constituted, but formidable body, were regarded with a mixture of astonishment, anger, and fear ; the Government, however, resolved to take the matter up with a high

hand, and fancied they could quench the new-born spirit by suppressing the Association. As soon as Parliament met in 1825, a bill was brought in for that purpose, against which the Association petitioned to be heard by counsel. This was refused; and after four nights of debate in the House of Commons, the bill was carried by large majorities through both houses.

Before it had received the Royal Assent* (on the 1st of March), Sir F. Burdett brought forward the Catholic question, which, after many divisions, was finally successful; the third reading having been carried (10th May) by a majority of 21. It was between

* The Royal Assent was given on the 9th March, 1825.

On the 29th April, Lord Francis Egerton proposed the following resolution for paying the Roman Catholic Clergy:—"That it is expedient that a provision should be made by law towards the maintenance of the secular Roman Catholic Clergy, exercising religious functions in Ireland." Mr. Peel opposed the motion; but after stating his objections to it he proceeded to say, "that he did not mention these circumstances as insuperable objections to the measure, but why was it necessary to press it at that moment? He would not object to the principle, if the House had agreed to remove all the disabilities of the Catholics." Twenty years ago, therefore, Sir Robert Peel declared that, when the Catholic disabilities were removed, the principle of Roman Catholic endowment would not be objectionable. Mr. Goulburn said, "that the sum required (£250,000 a-year) was not a point of sufficient importance to impede the measure, if it could be proved to be a beneficial one." The declarations of these ministers now become important; for they prove that the present government may, with perfect consistency, propose a measure of Roman Catholic endowment, if they are satisfied of its expediency, and of the salutary effects which it would produce. Lord Francis's motion was carried by a majority of 43, but it fell to the ground when the Catholic Relief Bill was lost in the House of Lords.

the second and third readings of this bill (on the 25th of April), that the Duke of York made his celebrated speech in the House of Lords—a speech which was printed in letters of gold, and framed and glazed by the Orangemen and zealous Protestants in both countries, whilst it excited the deepest resentment and indignation amongst the Catholics. On the 11th of May the Relief Bill was brought into the House of Lords, when it encountered the old arguments, and the fate of its predecessors, being lost by a majority of 48.

Meanwhile, Government and Parliament might have saved themselves the trouble of passing the act of suppression, which was craftily evaded by the Catholic leaders, and produced no other effect than the substitution of another Association more comprehensive and more powerful than that against which the Act was directed. The proscribed body immediately dissolved itself; and a committee was forthwith appointed at an aggregate meeting, to form another permanent Association and frame rules for its conduct. The report of this committee was furnished on the 13th of July to a second aggregate meeting, by Lord Killeen, received with great applause, and unanimously adopted.

Thus was the State completely baffled, and the Roman Catholics so far successful. The new Association pursued its course unimpeded and unresisted, and paved the way for the far greater

triumphs which were still to come. While the Catholics were thus vigorously fighting their own battle, and England still refusing to emancipate them—while the Association was daily swelling in magnitude, its authority extending, and the Protestants “idly and stupidly gazing on this menacing meteor which blackened all the horizon,” the committees of both Houses of Parliament were employed in taking evidence on the state of Ireland; a vast mass was collected, embracing ample statistical details, and the greatest variety of opinions upon all the circumstances, political or social, by which the condition of Ireland was affected. The deplorable state of the bulk of the people was described in a manner calculated to make the deepest impression, and to inspire the strongest feelings of compassion; though, of course, no anti-Catholic would admit that it was the denial of emancipation which produced such evils, and the zealots of the party would persist in attributing them to any cause rather than to this. Before these committees the most eminent of the Catholic ecclesiastics, as well as laymen, (together with many Protestants,) were examined; and their evidence was not only for the most part strikingly able, but was given, to all appearance, in a straight-forward, sincere, and candid spirit. To ascribe candour and sincerity to such men as Mr. O’Connell and Dr. Doyle will, of course, provoke a smile of derision and incredulity with those who

have been taught to believe that such virtues never can be found in agitators and priests: but it is my firm conviction, after an attentive perusal of their evidence, that in describing the condition of the Irish people, and in stating the wishes and objects of the Catholics of all ranks and degrees, they spoke nothing but the truth:—that they ascribed to their true causes the manifold evils with which the country was afflicted, and that they pointed out the remedies by which these evils might be abated, with an earnest desire to promote the peace of Ireland, and the union and prosperity of the British empire.

At this time an amicable arrangement was certainly practicable. The Catholics were not yet aware of their own strength, and they were disposed to accept emancipation in a thankful and a satisfied spirit. But, unhappily, neither were the Protestants aware of that strength any more than the Catholics themselves; and the consequence was, that this last opportunity of an honourable and beneficial settlement was suffered to pass away. The Catholics have been accused of every sort of inconsistency, of being faithless to their professions, and of pursuing objects at one time all desire for which they solemnly renounced at another. But *d'autres temps*—*d'autres soins*; England obstinately refused to listen to the repeated appeals that were made to her justice, her humanity, and her prudence; and when the Catholics had acquired the consciousness of their

own power, and saw that she would concede under the influence of fear what no other consideration ever could or would wrest from her, it was absurd to expect that their claims would not rise with their means of enforcing them, or that they would feel equal gratitude and satisfaction for concessions thus extorted, as if the same concessions had been granted in an ungrudging and conciliatory spirit. It is, therefore, necessary to bear in mind the different positions in which the Catholics stood at different times, in order to form a fair estimate of the conduct of their leaders. The Parliamentary committees inquired at great length into the condition of the Irish masses, and the various causes and circumstances affecting them. It has been constantly asserted, that Irish destitution and degradation are not attributable to the penal laws; but it was demonstrated, that the system of which these laws have been part and parcel, in all its multiplied operations and ramifications, had engendered the proximate causes of disorder, and wretchedness, and crime: and as long as any vestiges of that system are left,—as long as the influences, which in every other country are made to work for purposes of good, are suffered in Ireland to be instruments of evil, so long will the moral and physical improvement of the people be slow and uncertain.

It would be very difficult to bring within a reasonable compass anything like a digest of this voluminous

evidence, but I must endeavour to cull from it a few passages illustrative of the condition (at that time) of the lower order of Irish; showing in what manner and to what extent such a condition was either produced or affected by the penal laws, or the system of administration which those laws engendered. It will presently appear what might have been done and was left undone, and what have been and still are the consequences of that great and irretrievable error. To exhibit such details fifteen years after emancipation has been granted, and when the general condition of the Irish people is materially improved, might be considered impertinent and mischievous, if it were not that the circumstances of our own times require the retrospect. We have now, as we had then, a Catholic question with which, struggle and fight it off as we may, we must in the end make up our minds to deal; and since emancipation has failed to accomplish the good that was expected and promised from it, it is indispensable to ascertain the true cause of that failure. The people are discontented and alienated—they must be pacified and reconciled: they are brooding over grievances, partly real and partly imaginary—and until these real evils shall be completely redressed, it is vain to hope that either the one or the other will cease to fester and corrode, and to be a source of alarm and danger to the state.

“What is the state,” Dr. Doyle* is asked, “of the

* Bishop of Kildare and Leighlin.

lower order of people in your diocese?"—"The extent and intensity of their distress is greater than any language can describe, and the lives of many **hundreds** are shortened by it—it enervates their minds and paralyses their energies, and leaves them incapable of almost any useful exertion." After describing the insufficiency of employment and consequently of food, he says—"It is scarcely imaginable on what a pittance one of these wretches endeavours to subsist; in fact, he is almost like a savage of the American deserts—he lies down on a little straw upon the floor, and remaining there motionless nearly all day, gets up in the evening, eats a few potatoes, and then throws himself again upon the earth, where he remains till morning; thus he drags out an existence which it were better was terminated in any way, than continue in the manner it is."

"Do you think this evil likely to increase?"—"If the laws be not altered, and the country settled, so that people will have a confidence in the peace and good order to be established, and if the English capitalists do not go to Ireland, I do not see why it must not increase." Again: "The state of the laws keeps everything unsettled and insecure, and discourages men of capital and industry from embarking both in the improvement of Ireland."

The people, therefore, were thus wretched and degraded because they continued to multiply, and the demand for labour did not keep pace with their increase. "The population is increased by improvi-

dent marriages, and those marriages result from the poverty of the people, which has paralysed their energies, and prevented their taking an interest in creating a respectable situation in life. They say they cannot be worse off, and their depression and extreme poverty throw them together like savages in a wood ;—it is a frightful state of society—it fills one with so much pain and horror, that I have frequently prayed to God, if it were his will, rather to take me out of life than leave me to witness such evils, which are beyond the endurance of human nature.”*

Such was the description of the condition of the Irish people ; and it remains to be examined how far such a state of things is traceable to, and connected with, the policy of the laws of exclusion. “I do not conceive,” says Mr. Blake, “that there is any political curse upon Ireland that is to prevent her from being as happy and as peaceable as other countries, if, instead of attempting to fit the people to the constitution, the constitution be fitted to the people.” Mr. O’Connell is over and over again interrogated upon this point : “Do you consider the dissensions between Orangemen and Catholics in any considerable degree instrumental in producing disturbances ?”—“Yes, if they do not produce, they greatly aggravate, and tend much to continue them ; particularly by reason of the notion that the Govern-

* Dr. Doyle’s Evidence, House of Commons, 16th March, 1825.

ment was connected with the Orange system, and by that means creating a recklessness in the minds of the peasantry, and exerting a perpetual and irremediable hostility while the Orange system shall last. But the disturbances of Ireland lie much deeper; they are created by poverty, the nature of tenure, tithe, church rates, and various other matters—the Orange system aggravates and perpetuates the evil.”

“You are of opinion that the removal of disabilities would diminish or get rid of the disposition of the people to embark in disturbance?” . . . “*By itself* it would not tranquillise Ireland—*without it* you can never have Ireland tranquil—*with it* you would be making great progress towards tranquillity.”

“Do those disabilities retard the progress of internal improvement?”—“Very much; because they aggravate the evils which otherwise exist, and continuing them will tend to perpetuate that system of disturbance which prevents manufactures from settling, capital from coming in, and frightens away the gentry.”

“In what manner, and to what degree, does the remaining disability affect the peace and prosperity of Ireland?”—“It prevents the due administration of justice—it creates actual injustice in the administration of the law—it renders, in the opinion of the Roman Catholics, life and property less secure than those of Protestants—it gives a perpetual superiority, accompanied by triumph and even insolence to, the

ruling party. . . It works injustice by its exclusions. In the detail of the administration of the law there occurs pretty general prevalence of advantage to the Protestant over the Catholic, so that the poorest and most humble Protestant has a superiority in opinion, and I think, in fact, over the Catholic ; and the result of the entire is to create an indisposition toward the Government—a notion that they are ruled by power, and not by law. . . . Every local grievance, every thing that in the state of society tends to create disturbance, is aggravated by the spirit thus generated . . . and though the disturbances should not be traced to the penal law, by any means, but have wider and more general causes creating them, they are aggravated, and have something of a tendency to perpetuity given them, by what we call the penal code.” *

Mr. Blake says that, “The discontent was not with reference to any particular part of the code of disabilities, but that it prevailed universally at the general spirit and tenor of those statutes, by which the whole body is depressed below Protestants.”

“They consider there is in the law an hostility to the Catholic religion, which passes from the law to those who administer it, and extends from the religion itself to those who profess it.”

“What effect have the penal laws upon the lower classes of Protestants, with respect to their treatment

* O’Connell, Lord’s Committee, March 11, 1825.

of Catholics?"—"It gives them a confidence to commit crimes against Catholics—it produces insolence in their demeanour, and, on the other hand, irritation and indignation." *

The disabilities "produce a moral degradation and debasement in the minds of the people—they look on themselves as a degraded caste, having a privileged order above them." †

"The impression on their minds is, that the law is unequally administered . . . Prejudices exist in the minds of the magistrates, and misconceptions in the minds of the people." ‡

"The opinion of the lower order of the Catholics, in reference to the penal laws, invariably is, that they are governed by force, and that those who administer the law are in constant hostility against them; and there is a perpetual hatred among them against the governing power. Its effect is to indispose them to every act of the government; and, when a man is punished, his friends consider it an act of violence and injustice, instead of being the administration of the law towards him." §

"There is no class or description of people in Ireland, who do not feel a strong interest in the repeal of the penal laws; those, perhaps, who understand the nature of them the least, are most anxious for their repeal."

* Rev. Mr. Collins, Commons, June 11, 1824.

† Ibid.

‡ Ibid.

§ O'Connell, Commons, March 4, 1825.

“The lower orders consider the exclusion of the higher orders from the highest offices of the state, a mark of infamy and degradation affixed on the whole body.” *

“If the lower orders were asked what emancipation meant, perhaps they would not be able to define it; but they have a feeling that they belong to an excluded class, and are not treated like other subjects—that there is something wrong with them; and they are anxious to be released from this kind of slavery, which they cannot explain.” †

“The impression upon the Irish peasant is, that unless he has what they call interest, he has no chance of success before any tribunal . . . The system (of the administration of justice) is so interwoven with religious distractions, and its present state so much (if not created) amalgamated with it, that it would be impossible to say they are unconnected. In a late revision of the magistracy, many bad magistrates have been excluded. In particular counties the exclusion ran more according to religion than misconduct; and in the county of Cork, almost every Catholic magistrate was struck out—I think eighteen out of twenty-one.” ‡ “The accumulation of church rates is attributed, in a great degree, by the peasantry to the penal laws. Since the

* Dr. Doyle, Commons, March 16, 1825.

† Dr. Magaurin, (Bishop of Ardagh,) House of Commons, March 25, 1825.

‡ O'Connell, Lords, March 9, 1825.

Union, two or three statutes have been passed, enabling the clergy of the established church, without reference to the wish of the parishioners, to build churches where there are no Protestant inhabitants; and the constant superiority and insolence belonging to the lower class of persons, thus rendered superior, all affect the minds of the peasantry; and then, anything political, that gets connected with religion, is apt to go even beyond the truth and necessity of the case.” *

“The feeling of dissatisfaction among the Catholics is increasing as they increase in wealth, and numbers, and intelligence, as they are doing; and as far as the evils of Ireland are attributable to the penal code, they must accumulate, instead of diminish, by a continuance, holding out, as they do, a temptation to a foreign enemy; and mixed with other matters, rendering life and property insecure.” †

“The long course of confiscations and of penal laws (whether necessary or not) had very bad effects at the time on the minds and dispositions of the great body of the Irish people. The upper class, who were deprived of their properties, naturally felt enmity to those who got them. The clergy must have felt annoyed at the rich provision of the church being transferred to other hands; and the lower classes, who did not experience much one way or another, were ready and dangerous instruments in the hands of

* O’Connell, Lords, March 11, 1825.

† Mr. Blacker, Evidence, House of Lords, 1824.

the discontented.”* “When once a disturbance breaks out, it gets force and continuance from religious distraction. Political feelings mix with the disturbances, and they arise altogether out of the distractions between Catholic and Protestant.”†

Mr. Leslie Foster is asked, “To what cause do you attribute the frequent occurrence of disturbance in Ireland?”

“I think the proximate cause is the extreme physical misery of the peasantry, coupled with their liability to be called on for the payment of different charges, which it is often perfectly impossible for them to meet. The immediate cause, I conceive to be the attempt to enforce these demands by the various processes of the law: we are also to take into consideration, that they are living under institutions for which they have neither much affection or respect. I have assigned what I conceive to be the proximate cause of the disturbances. I think the remote one is a radically vicious structure of society, which prevails in many parts of Ireland, and which has originated in the events of Irish history; and which may be, in a great measure, palliated, but which it would, I fear, be extremely difficult now wholly to change.”‡

Such were the opinions of the best informed men, Protestants as well as Catholics, and they may be

* Sergt. Lloyd, Evidence, House of Commons, 1824.

† Mr. O'Driscoll, Evidence, House of Commons, 1824.

‡ Evidence before Lords.

thus summed up :—That distress, discontent, and disturbance were approaching their utmost limit; that they were all more or less attributable to the system of government and legislation which had long prevailed, and which, in great measure, continued to prevail still; and that the people were at once becoming more exasperated with their wrongs, and more determined, and more able, to obtain redress.

It has been the practice of Orangemen and Ultra Protestants, to cast in the teeth of their adversaries, the advocates of emancipation, the ill success of that measure; and especially to accuse the Catholics of dissimulation, duplicity and bad faith. They insist that the Catholics held out promises and expectations of peace and tranquillity, which have never been realised—that they solemnly disclaimed any feeling or intention hostile to the established Church, protesting that, if all civil disabilities were removed, they should be completely, and for ever, satisfied, and never would complain or agitate again: whilst agitation is now again the order of the day, and the Church and its revenues are openly and constantly assailed;—that the Clergy, who then expressed their readiness to connect themselves with the State by a stipendiary link, now reject both the connexion and the stipend;—and that the men who are organising the whole country in a Repeal Association, were the same who gave the most positive assurances that, if emancipation was conceded, the question of Repeal never should or could be raised

again. It is scarcely possible for any one to be insensible to the mischief and the madness of the Repeal movement; nor am I, by any means, disposed to excuse the conduct or the language of its author and leader; but it is due to truth and justice, and it is necessary, in order to clear away much prejudice and error, to declare that the Catholics are not obnoxious to such reproaches and charges as these. And it is of the greatest importance to make this manifest, because a false impression of the insincerity, and the encroaching, or ambitious views of the Catholics, undoubtedly embitters the minds of the English people, and disinclines them to consent to those measures of conciliation, without which, all wise and dispassionate men are aware, that the distractions of Ireland can never be composed. It has already been said, that in their evidence before the committees of both Houses, the Catholic Bishops and leaders spoke out clearly, and with apparent sincerity and candour. They showed in all their magnitude both the evils and the dangers which pressed upon the country, but their representations produced no effect. The clergy signified their willingness to be paid by the State, declaring what were the voluntary payments which they would still expect to retain, and what they would no longer require; and, *at that time*, there is no doubt that they were fully prepared to acquiesce in any reasonable arrangement on this head. They renounced all

desire to possess the revenues of the Established Church, but they made no secret of the opinions they entertained that its wealth ought to be reduced.

They did indeed hold out expectations that agitation would cease, that Repeal would be abandoned, and that peace, harmony, and union, would follow Emancipation;—but then these expectations were hypothetical and conditional—conditional as to time, and mode and circumstances—upon the great measure being accomplished immediately—on its embracing the payment of the clergy, and upon its being done in a frank, gracious and conciliatory spirit. If Emancipation had been given at that time, if it had included all the remedies that were suggested, and the *modus operandi* had been such as sound policy dictated, it is impossible for any human being to say that the consequences would not have been as ample and beneficial as the promises and predictions of Mr. O'Connell himself held out; but when this time, with all its favourable circumstances, was suffered to pass away, all warnings neglected, and all advice despised—when a fresh arrear of resentment and hatred was suffered to accumulate, and a vast increase of power to be developed—when at last Emancipation was yielded without grace, and received without gratitude—when the details of the measure were so managed, that the classes whom it was most important to conciliate, were precisely

those who received the least benefit from it, and when especial care was taken to inflict a mortification on the great Liberator himself, and an insult, as they considered it, on the whole body of the clergy—it is absurd to ascribe the failure and the disappointment to any other cause than to the obstinacy which resisted, till resistance could no longer be maintained, and to the folly which deprived the concession of all value, by the manner in which it was at last made.

To revile the Catholics for not having the same disposition and the same objects in 1830 or in 1844 which they professed in 1825, is not more reasonable than it would be to reproach the Long Parliament in 1641, for not being as moderate as its predecessor in 1639; or for the French to complain of the perfidy of the Allies, because the same terms were not granted to them, by the treaty of Paris, which had been offered at Dresden or at Châtillon. It is time, however, to produce such parts of the evidence as make out (in my opinion) the proposition I have advanced.

In the course of Mr. O'Connell's examination before the Commons' Committee, he is asked, "Do you feel yourself at liberty, without infringing in the slightest degree upon that feeling which the Committee would not wish to violate, to specify the mode by which the priests influence and command the votes of the freeholders?" He answers, "Upon

any subject connected with the Catholics of Ireland, their religion, or their clergy, I have no delicacy in giving the fullest information in my power. I have not the least objection to specify anything I know; and if I have a desire, standing here, it would be to be probed to the fullest extent.*”

Mr. Blake is asked whether he thinks “different opinions are now verging to something like a compromise?”—“I have had,” he says, “communications with several of the leading Protestants who have been adverse to the Catholic claims, and they seem generally anxious for a settlement, provided, &c. I think that the Roman Catholics are more disposed for a compromise than they were at any former period within my recollection.”

“What do you mean by a compromise?”

“Raising the qualification of the franchise, *payment of the clergy*, and some limitation of office. The Roman Catholics are more desirous of a settlement than a triumph.”—“Do you think merely giving emancipation, unattended with other measures, would give permanent tranquillity?” “I think concession, coupled with raising the qualification, and *a provision for the clergy*, would make the mind of Ireland sound, and would enable the government, by measures of general detail, to give to Ireland the benefit of the natural advantages she possesses; but *without such a settlement*, the mind

* O’Connell, Commons’ Evidence, Feb. 25, 1825.

will continue in a state of disease, and that state of disease will perpetually show itself in convulsions.”*

“There never was a period,” says Mr. O’Connell, “when it would be so easy to subdue the hostile feelings between Catholics and Protestants, or to create a better one, than just now.”

“Why do you suppose this period so particularly favourable to an alteration of the law?”

“On account of the measures which have been taken, and of which, of course, I am disposed to speak favourably, having taken an active part in them myself—the Committee will therefore receive my answer with that species of abatement and allowance which an interested person always receives. We have brought the people to a great connection now with the gentry; we have combined the clergy with the gentry and the people; the consequence (without arrogating more of the present tranquillity than we ought to ourselves) certainly is, that there is universal tranquillity at this moment; and acting thus together, and the disposition of the clergy of every class and the gentry being most sincerely to consolidate the interests of the people with that of the Government, I am convinced that at this moment it can be done with more effect and general satisfaction than at any time that has come within my knowledge up to this. At any former period there would have been something of triumph, and perhaps

* Blake, Lords, March 2, 1825.

of insolent victory, on our parts. I do not think there would be the least at present.”—“Are the Catholics at the present moment more disposed to go considerable lengths for the purpose of coming to a fair and equitable arrangement, than they have been at any former period?” “I am quite sure of it; and as far as my influence goes, I will extend that sentiment: and the reasons that convince me will be likely to convince many other Catholics.”*

All the witnesses who are examined on that point declare most emphatically, that the Catholic clergy do not entertain any notion of transferring the possessions of the Established Church to the Roman Catholic Church; but they admit that, in common with many Protestants, they would approve of a reform of the Protestant establishment.

“I never heard,” says Dr. Doyle, “nor do I believe, there exists in the mind of any clergyman of any rank, any disposition to receive, or ask, or seek to obtain, by any means whatever, the possession of the temporal goods of the Established Church in Ireland. For myself, and as far as I have been able to obtain a knowledge of the feelings of those of the clergy with whom I am conversant, it is their opinion, as well as mine, that were a portion of those goods offered us, we would decline accepting them.”

“Supposing the tithes now received by the Pro-

* O’Connell, Lords, March 11, 1825.

testant, were proposed to be transferred to the Roman Catholic Church?"

"Unquestionably, I would not accept them."*

"Do you mean to say that there is no indisposition on the part of the Roman Catholic laity to allow the Established Church to continue in possession of all her present emoluments?"

"I do not by any means say that—for it may be that Roman Catholics, as well as Dissenters of other kinds from the Establishment, may think that the present property, if enjoyed by the clergy of the Establishment, is rather great for the means of this country. I would not therefore say, that Catholics would not, in common with others, wish that the amount of that property was diminished, and applied to other uses of the State; but I am clear that neither the Catholic clergy nor laity have any disposition at all to possess themselves in any way of such property."

"I respect and esteem the Established Church more than any other in the universe separated from the See of Rome; but I do unquestionably think that the amount of property enjoyed by the ministers of that Church is prejudicial to the interests of the Established religion in Ireland, as well as the interests of the country."†

Dr. Murray said, "that there is no wish on the

* Dr. Doyle, Commons, March 16, 1825.

† Dr. Doyle, Lords, March 21.

part of the Roman Catholic clergy, to disturb the present Establishment, or partake of any part of the wealth it enjoys . . . that there is a general feeling among Catholics as well as Protestants, that the Establishment is unnecessarily rich;—but this feeling is not among Catholics as Catholics, or more than in Protestants.” “The Catholics complain of paying tithes in common with Protestants; and they have the additional ground of complaint that they receive no services for it, that they pay two churches, from one of which they derive no return.” Dr. Murray added, that the Protestant clergy found *more* difficulty in getting tithe from Protestants than from Catholic parishioners; and when asked why *more*, he replies, “because the Protestants are better able to resist.” He also said, that the insurrections in many parts of the south and west of Ireland have been directed as much against the dues paid to the Catholic clergy, as against the tithes paid to the Protestant clergy.*

Mr. O’Connell, after again disclaiming on the part of the Roman Catholic gentry in Ireland any desire to have the possessions of the Protestant hierarchy transferred to their own priesthood, and stating that the clergy would accept a provision after Emancipation was granted, but not before; said that “the object of the Catholic gentry was to connect the Catholic clergy and laity with Govern-

* Dr. Murray, Commons, March 22.

ment itself—to embody them, as it were, as a portion of the State, and to give the Government a reasonable and fair influence over the Catholic clergy; so that there should not be even an idea of any danger of their being taken away to favour a foreign enemy, or domestic insurrection. I am sure that is the opinion of the clergy, and I know it is the opinion of the Catholic gentry.”—“Do you think such an arrangement can in any measure have the effect of alienating the flocks from the clergy, if so paid?”—“If made upon an Emancipation Bill, *heartily entered into in a proper spirit*; and I would beg to say, *it would be better to leave things as they are, than to have an Emancipation Bill that was not in a proper spirit both for the Catholics and Protestants, for it would be giving us additional power, and leaving still a stimulant to those animosities that divide the country; and I think the thing should remain as it is, unless it be done heartily and cordially.*”

“Do you believe that the Roman Catholics of Ireland, both clergy and laity, would be willing to afford the Government reasonable security for the domestic education of their priesthood, and that persons should not be appointed from establishments abroad?”—“I am quite convinced of it. I beg to say that I am thoroughly convinced that the object of the Catholic clergy and laity of Ireland is sincerely and honestly to concur with the Government in every measure that shall increase the strength of the

Government in Ireland, so as to consolidate Ireland with England completely, and in every beneficial aspect. I am quite convinced of that.” *

Nothing can be more explicit than the opinions expressed concerning the terms of connection between the Catholic Church and the State, and the amount of interference which they would be content that the Crown should exercise in ecclesiastical affairs.

“Would there be any objection to the interference of the Crown in prohibiting the appointment of particular individuals, or in controlling them?” “At present there would be so much, that it would totally spoil the effect of any measure of Emancipation; and it would be better to leave things as they are, than meddle with that just now. . . . If, hereafter, any real and substantial inconvenience occurred in practice, I am sure the Government would find every facility, both at Rome and in Ireland (after Emancipation), in making a proper and satisfactory arrangement on the subject.” †

Dr. Doyle says, “That he never would consent to any interference on the part of the Crown in the appointment of prelates; and that if the Court of Rome should, by any convention with the Crown of England, give any power of interference, direct or indirect, he would rather abdicate his functions as a prelate, than submit to the arrangement—but that the Crown has a right to be satisfied of the loyalty

* O’Connell, Commons, March 4, 1825.

† Ibid.

of the person appointed, for it is essential to the well-being of the State that perfect confidence should prevail between his Majesty's Government and every class of his subjects."

He would be content that every bishop should be a native of Ireland, and have been educated at home; and that none should be entitled to claim any provision from the State, without being furnished with a certificate from the Commission * to this effect, as well as of the loyalty of the recipient.—"I think it very reasonable," he says, "that before a man eats the bread of the State, the King should have full and perfect knowledge of who he was;" and "that before they received a salary from the State, everything respecting them which the Crown wished to be informed of, ought to be communicated to it." †

The two greatest and most obvious benefits that would accrue from the payment of the clergy, are, first, elevating the order of priests; and, secondly, relieving the peasantry.

"If Emancipation was granted as a condition to the clergy being paid by Government, would it not produce the effect of a better description of persons becoming candidates for the priesthood?"

"If, by better, is meant, as I suppose it is, a wealthier class, it certainly would have that tendency, and a useful tendency for the purposes of Govern-

*. A commission to be constituted for ecclesiastical purposes.

† Dr. Doyle, Commons, March 16.

ment I take it, because they would not be so much under the influence of very low people, as they necessarily are, when all their relations are in the lowest state of society. They would be a very important and useful link in the chain of society."

"Would it be felt by the peasantry in Ireland as a relief to them if the provisions for their priests were provided from some other funds?"

"I am sure it would, a very considerable relief." *

"If any provision were made," Dr. Doyle is asked, "should you think it better to relieve the people from the annual payments, or from fees?" "I should say, that with the exception of a few towns, where there is a kind of annual payment, distinct from fees, every contribution made by the people to the clergy is made at the time when the priest is performing some office for them, so that all of them might be denominated fees in some measure. I would then suggest that all and every contribution to be made by the people, or accepted by the priest, should cease altogether, with the exceptions I have before mentioned, that is, baptisms, marriages, and burials. I think the relief to the people would be very great if the dues of priests were entirely done away with; and unless provision is made to put an end to them, they will be continued by avaricious men, in various ways, and the relief of the people would not be attained." †

"I would retain the fees (above mentioned),

* O'Connell, Commons, March 4. † Dr. Doyle, Lords, March 21.

because they are a universal custom ; and I do not see why our church should be the only one in the world that should give up trifling contributions, which are given in every other church throughout Christendom.”*

It would be superfluous to produce any more of this evidence ; the extracts already given are sufficient to show that, at that time, circumstances both imperatively demanded and were peculiarly favourable to a settlement of the question. It is, indeed, difficult to understand how any man of experience and sagacity should have failed to perceive that the anti-Catholic was a losing cause—that it would not be possible to continue the contest much longer—and that it was of immeasurable importance to come to terms with the Catholics while they were in a disposition so moderate and amicable as that which they then evinced. However obvious this might be to the friends of Emancipation, it unfortunately escaped the penetration of Lord Liverpool, and his colleagues in office ; and no disposition appeared to propose any concession or compromise. The Duke of York’s speech, in which he had announced that, as subject or as sovereign, he would ever oppose the Catholic claims—“so help him God!” had infused fresh enthusiasm into the minds of the Protestants ; and at the end of the session of 1825, the King, the Government, and the people of England, seemed more determined than ever to maintain the exclusive system. Lord Eldon,

* Dr. Doyle, Commons, March 16.

who, in 1821, had been much disturbed in his mind, and in high dudgeon at some of Lord Liverpool's liberal appointments, was now in ecstasies. "As to Liverpool, I do not know what he means—to please Grenville, he makes a regius professor friend to the Catholics; to please Lansdowne, he makes a bishop of Bristol, and regius professor friend to the Catholics. I am not quite content with this—yet I don't know what to do. Can a man who makes such a Secretary for Ireland as we have, and two such regius professors, and such a bishop, be serious?"* Such was his language in 1821, but now he was all jubilation and triumph: "Never was anything like the sensation the Duke of York's speech has made; it has had such an operation upon all ranks of men, that it will create insuperable difficulties to passing the intended measure another year."—"It has placed him on a pinnacle of popularity."†

The convivial bigotry which bursts forth in the Chancellor's letters, is at once melancholy and diverting.‡ "Dined with the Duke of York. 24 rejoicing Protestants round the table; we drank the '48 and the year '88, and 'the glorious and immortal memory.' Lady Warwick and Lady Braybrooke § would not let

* Eldon's Life, vol. ii., p. 413.

† George the Fourth was not very well pleased at his brother's allusion—"the situation in which he might be."

‡ Eldon's Life, vol. ii., p. 522, 546-7.

§ Lord Eldon was imposed upon, and this foolish story was totally without foundation. Lord B. was uniformly a staunch supporter of Catholic emancipation, but having only just succeeded to the peerage

their husbands go and vote for the Catholics ; so we Protestants drink daily, as our favourite toast, ‘ the ladies who locked up their husbands’ ”.*

This revival and strong manifestation of no-popery zeal, produced corresponding effects in Ireland. The act for suppressing the Association had been wholly abortive. That body continued its meetings and its proceedings without any interference on the part of the Government, and nothing could exceed the violence displayed by the principal orators, and especially the virulence and fierce resentment with which the Duke of York was assailed. But while they thundered out their exhortations, denunciations, and menaces, employed every engine of influence, and diligently levied the Catholic Rent, they exerted themselves strenuously to prevent all violation of the public peace.

Parliament was opened on the 2nd of February, 1826 ; and though the question of *Emancipation* was not brought forward in either House, there was no lack of debate and discussion upon Irish affairs. The re-

by the death of his father, he paired off upon this occasion with Lord Bayning, instead of attending the debate.

* He gives an account of his attending the Pitt Dinner, where he says—“ The company were quite uproarious, they were in such high spirits at the Catholic defeat.” Lord Eldon, however, seems to have had some touch of shame at this desecration of the principles of the great minister whom they pretended to honour ; for he adds, “ they reconciled themselves to this conduct by recollecting, that though in 1801 Mr. Pitt was for the Catholics, he was only so if they would consent to securities for the Church and State, *which they would not—if they would, they would have no opposition now* ”!! One of these assertions was just as true as the other—both absolutely false.

ports of the committees had been presented at the end of the preceding session, and Government speedily announced their intention to propose various measures of improvement and reform, connected with different evils and grievances, which had long been the subject of complaint ; and several bills for this purpose were accordingly passed in the course of the session, which, though really well meant and useful, did not in the slightest degree appease the resentment of the Catholics, or reconcile them to their political condition.

On the 2nd of June Parliament was dissolved, and immediately afterwards a general election took place, for ever memorable in Irish history, and which was productive of the most important influence on the question of Catholic Emancipation. In England, the spirit which animated the Duke of York and Lord Eldon, had diffused itself pretty generally through the country, and the result was seen in an accession of strength to the anti-Catholic party in the House of Commons.* But in Ireland the elections assumed a character of far greater significance than those by which ordinary contests were marked. The great leader who commanded the resources and directed the energies of the Catholic body, resolved to make at once an experiment, and a display of his strength, to carry the war into the strongholds of Protestant influence and power, and

* Amongst the changes Lord John Russell lost his election for Huntingdonshire ; and Mr. Pym was turned out of Bedfordshire by Mr. M^cQueen, whose only merit was being opposed to the Catholics.

show what the priests and the people united were capable of effecting. The county of Waterford had been represented by the Beresfords for the best part of a century; and though they were thorough Orangemen, and the constituency were in the proportion of forty Catholics to one Protestant, the vast property of the Marquis of Waterford gave him a dominion which nobody dreamed of attempting to undermine, or assail. The Catholics, however, determined to measure their strength with this landed grandee, and before the expected dissolution had taken place, a messenger was despatched in search of Mr. Villiers Stuart, who was then travelling on the Continent. He accepted the invitation to become a candidate for the county, and instantly returned to Ireland. At first the design of attacking the Beresford interest appeared altogether chimerical; and even Mr. O'Connell himself is said, at one time, to have thought success doubtful, if not impossible*. But the election no sooner began, than the spirit which had been kindled in the minds of the people burst out with an enthusiasm equally irrepressible and irresistible. They scattered to the winds all ancient allegiance—even all neutrality—and poured down in masses to support the popular candidate; the tenants at the very gates of Curraghmore—the workmen and labourers in the park and gardens of the Marquis, joined their countrymen, and voted against the brother of their

* Wyse, vol. i., p. 264, 274.

employer. The election was decided before half the first day's polling was over, and on the fifth, Lord George Beresford retired, and Mr. V. Stuart was declared to be elected by a great majority. Nothing could exceed the indignation of one party, the triumph of the other, or the general astonishment which this great event produced; but it was immediately followed by one much more extraordinary. There was nothing very surprising in the enterprise of Mr. Villiers Stuart: he was fairly entitled, from his large property and personal qualities, to aspire to the representation of his native county; but when news arrived in Dublin that a retired barrister of small fortune had started for the county of Louth—a county where the Jocelyns and the Fosters had long been considered omnipotent—a still greater sensation was excited.

Mr. Alexander Dawson had neither wealth nor connections to bring against the coalition of Lord Roden and Lord Oriel; he announced that he would incur no expense—none of the usual preparations for a contest were made, and his intention to stand was only declared three days before the election. His arrival at Dundalk had all the appearance of an ovation. He was escorted into the town by an enthusiastic multitude of athletic peasants, screaming, rushing, prancing, and exhibiting in their gestures and countenances all the signs of exuberant joy and fierce determination.

The pretensions of such a candidate his anta-

gonists were at first disposed to regard as despicable and ludicrous, but they soon discovered them to be anything but ridiculous. A very short time gave him such a triumphant majority on the poll, that his return was placed beyond the reach of speculation, and the contest only remained between the other two who had begun it as allies, but who ended it by a violent struggle with each other. It turned upon whether hatred of Lord Roden, or hatred of Leslie Foster, should prevail; and the nominee of the former was eventually defeated, though only by a bare majority. The Catholics looked on with a malicious satisfaction at the desperate strife of the two Orangemen, only regretting that they had not carried both seats, as they might easily have done, if they had been prepared in time with a second candidate. Similar battles were fought with similar success in Monaghan and Westmeath; and the Stopfords only escaped the same fate in Wexford, by the writ having been issued, and the election decided before that of Waterford took place. It is not difficult to imagine the mixture of indignation and astonishment, with which the Protestant potentates must have contemplated this overthrow of their power, and contempt of their authority. They must have heard the news of the insurrection of their tenants, with sentiments somewhat like those of Louis XVI., when he was informed of the defection of the French Guards. "Why, this is a revolt," said the king.

“Sire,” said the Duc de Liancourt, “it is a revolution.” And so was this a revolution; one, indeed, of a peaceable and legal character, but of an immense significance, and pregnant with consequences which it demanded no extraordinary penetration to foresee, but which it was of vital importance to anticipate and counteract.

The new Parliament met on the 14th November, and sat till the 13th of December, without any discussion taking place upon Ireland, or the affairs of the Roman Catholics. It met again on the 8th February, 1827, and, on the 5th March, Sir Francis Burdett once more brought the general petition of the Catholics before the House. It might have been expected, considering all the circumstances of the times, that this petition would not be rejected by the House of Commons. The Duke of York was dead, Lord Liverpool was dying—two of the most powerful, and most constant opponents of the Catholics, were thus removed from the stage; and the eventful Irish elections were still ringing in the ears of the country,—this, therefore, seemed to be the moment, if one ever was to arrive, when bigotry itself might be expected to relax, and conciliatory counsels to prevail. The motion, however, was rejected, by a majority of four; and in consequence of the issue of this debate, Lord Lansdowne declined to bring the question on in the House of Lords, “fearing,” he said, “to add, in the present state

of feeling in Ireland, to the disastrous conviction in the minds of the Catholics, that a majority of both Houses of Parliament was determined to reject the consideration of their claims."

In the mean time, before any particular effects of this defeat could be manifested in Ireland, events occurred which were calculated to induce the Catholic leaders to abstain for the present from any violent or inflammatory proceedings.

The incapacity (shortly after followed by the death) of Lord Liverpool, left the post of prime minister vacant, and after much personal and political discussion (unnecessary here to detail), the Government was broken up; Mr. Canning formed a new and rather motley cabinet, composed of some fragments of the old one, reinforced by a detachment of moderate Whigs. It would seem as if there never could be an end of all the anomalies and contradictions which attached to this unhappy Catholic question, the source of all the difficulties and dangers which embarrassed the country. The late Government was broken up because the majority of the cabinet would not agree to the appointment of a prime minister who was favourable to Catholic Emancipation; while Mr. Canning would neither waive his own claims, nor consent to the principle of exclusion which was sought to be established in his person. The seceders appear to have overlooked the extraordinary inconsistency of their objection with the supposition

of the Catholic being really and *bond fide* an open question: while Mr. Canning, having successfully asserted the principle for which he contended, condescended to neutralise it practically, by promising the King not to force the question forward: and in the speech which he made explanatory of his own conduct, he distinctly said "that he would not prematurely stir up the feelings of the people of England for a theoretic, though essential good:—he expected the dawn of a better day, but he would not precipitate its appearance—he would not, for the sake of freedom of conscience, force the conscience of others; he would not press this question sternly on the feelings of Englishmen."

Still the Catholics confided in the prime minister's well-known disposition. They saw a cabinet composed almost entirely of individuals friendly to them, and they made allowances for the difficulties and obstacles which prevented the government from doing anything immediately to serve them. "They therefore took his intentions for deeds, and lamented over his tomb as if he had been their deliverer."* But when, in February 1828, after the short and sickly interregnum which followed the death of Mr. Canning,† the Duke of Wellington and Mr.

* Wyse, vol. i., p. 327.

† Mr. Canning died on the 8th August, 1827, having been minister four months. Lord Goderich succeeded him, and resigned in February 1828.

Peel returned to power, the one as prime minister, the other leader in the House of Commons, the Catholics naturally abandoned all hope of obtaining anything from the good-will of such a Government. The most conspicuous members of the new cabinet had been throughout their whole lives the consistent opponents of Emancipation, and both the king and the anti-Catholic party considered them pledged to maintain the same principles, and pursue the same course of policy as heretofore. From the moment, therefore, of the formation of the Duke's Government, the Catholics determined to wage war against it, and to put in operation all the means of annoyance and opposition which they had now discovered and shown to the world that they possessed. Their measures were able, energetic, and completely successful. Every day added to the power and authority of the Association, which, in fact, governed all the Catholic provinces with an absolute sway. The edicts of the greatest despots or autocrats who ever existed, the decrees of the French Convention at the height of the Terror, were never obeyed with more alacrity and submission than the commands of the Association by the willing devotion of the Irish people. The barbarous factions, whose feuds distracted the country, were reconciled to each other;* and, at the bidding

* There were the Hens and the Magpies, the Shanavasts and Caravats, the Padeen Gras and Moll Doyles, and many other strange and barbarous names.

of that body, such tranquillity and abstinence from outrage prevailed as Ireland had never seen before. Liberal clubs and parochial clubs were formed with a regular arrangement and distribution of functions, by means of which the orders of the Association were rapidly and punctually executed. The Government looked on in silence and inaction, witnessing this accumulation and organization of power, and taking no steps either to conciliate or suppress it. Meanwhile, the Catholic question was again debated in both Houses of Parliament. On the 7th May, in the House of Commons, when Mr. Peel opposed Sir F. Burdett's motion, in a speech only remarkable for the lowness of its tone,* and after three night's debate, that motion was carried by a majority of 6—272 to 266. On the 16th May, the Commons desired to have a conference with the Lords on the subject, which was agreed to; and, on the 9th June, Lord Lansdowne moved, in the House of Lords, a resolution corresponding to that of the Commons. The usual debate took place, and with the usual result, of a majority against the motion of 44—181 to 137. But the speech of the Duke of Wellington was universally considered to be indicative of an important change in the opinions and the intentions of the Government; and Lord Lansdowne, in his

* He said, "I am not as yet prepared to abandon that *reluctant* opposition which I have *hitherto* felt myself *compelled* to give to these claims."

reply, expressed his conviction that both the Duke and the Chancellor could not have said what they did, unless they contemplated some final arrangement of those difficulties, the magnitude and urgency of which they both appeared so thoroughly to comprehend. But in whatever light the Duke's speech may have been regarded in England, in Ireland it did not, for one instant, or in the slightest degree, relax the exertions, or moderate the proceedings, of the Catholics. He had said, "If the agitators of Ireland would only leave the public mind at rest, the people would become more satisfied; and I certainly think that it would then be possible to do something."

The scornful derision with which such a recommendation would be heard by the agitators, may be easily conceived. They knew a good deal better than to follow this advice. Agrarian disturbance, indeed, was already at an end; having entirely subsided at the command of the Association. But political tranquillity, abstinence from political agitation, the Catholics had tried for a long series of years, and, with what success, was notorious to all the world. They had been submissive, humble, and patient—they had passed through all the gradations and degrees of long-suffering and endurance; and had only met with opposition, indifference, and contempt. At length they tried combination and agitation, and from that time their affairs assumed a very different aspect; it was not very likely, therefore,

that they would desist from a course which had hitherto proved so successful; and, in the same manner as the Duke would himself press an enemy who was beginning to yield, they resolved to quicken the supposed disposition of their enemy to give way, by a still more vigorous prosecution of the war. At one of their aggregate meetings, the Catholics had passed a resolution to oppose the election of any candidate who would not pledge himself against the Duke's Government. But after the Test and Corporation Acts had been repealed, Lord John Russell wrote a letter to Mr. O'Connell, suggesting the propriety of rescinding this resolution, in consequence of the liberal disposition which the Government had evinced in respect to those measures. Mr. O'Connell proposed to the Association to adopt Lord John's recommendation; but, after a stormy debate, his motion was rejected. It was not long before the occasion presented itself of acting upon this resolution. Mr. Charles Grant having resigned the office of President of the Board of Trade, Mr. Vescy Fitzgerald was appointed to succeed him; and accordingly vacated his seat for the county of Clare. The Association instantly resolved to oppose his re-election. When Mr. Fitzgerald accepted this office, neither he nor any one else had the slightest notion that his return would be disputed. He had always been a staunch and able advocate of the Catholics, and he was so universally popular and respected in the county, that

for some time it appeared quite impossible to find any candidate to oppose him ; Major M'Namara, who was first applied to, having declined, on the ground of his own and his family's obligations to Mr. Fitzgerald. In this emergency, and when the attempt was considered quite hopeless, the world was electrified by the news of Mr. O'Connell's having himself announced his intention to stand. Nothing could exceed the astonishment produced by this event ; and both in England and in Ireland all eyes and thoughts were at once turned to the Clare election. No contest had ever taken place so calculated to stir up the passions of the people : and, during its progress, it exhibited, in its various circumstances and details, that mixture of the serious and the ludicrous, of the solemn and the grotesque, so peculiarly illustrative of the Irish character. The contrast between the two candidates was excessively striking. Mr. Fitzgerald appeared upon the hustings surrounded by all the gentlemen of the county ; while Mr. O'Connell was without any support from the higher orders, and depended upon a mass of determined peasants, and the whole body of the priests. The priests and the people showed what they could, and what they would do, in such a cause—all ties of connection, of gratitude, or of interest, were swept away. Sir Edward O'Brien assembled his tenants in a body to go and vote for Fitzgerald ; Father Murphy, of Corofin, harangued them, marched into Ennis at their head,

and polled them to a man for O'Connell. The famous father Tom* did the same with the tenants of Mr. Butler. The torrent was irresistible; and on the sixth day of the election Mr. Fitzgerald resigned the contest. It was impossible to exaggerate the magnitude or the importance of this victory. Waterford and Louth sank into insignificance when compared with it, for the defeated candidate was here highly popular, even with the Catholics, who well knew his attachment to their cause. A great clamour was raised against the ingratitude of the Catholics, in ejecting such a faithful and steady friend to their interests; but it was idle to talk of ingratitude; it was a great cause for which they were fighting, and they were bound to discard all ordinary considerations, in their stern and unflinching course. "Revolutions," it has been said, "are not made with rose-water;" and Mr. Fitzgerald was sacrificed to an inexorable principle, the wisdom of which was speedily proved by the result. The Clare election settled the question of Catholic Emancipation; it quickened the half-inclined disposition of the Duke of Wellington into a positive determination, and he lost no time in giving effect to the conclusions at which he at last arrived.

But now began to appear, in all their magnitude

* He was a priest of the name of Maguire, celebrated for his controversial contest with Mr. Pope, a Protestant clergyman, in which the Catholics boast that he signally defeated his opponent.

and variety, the evils of the policy which had been so long and obstinately pursued ; and amongst them none was greater and productive of more lasting bad consequences than the unfortunate necessity of adopting a course of mystery and concealment, the inevitable effect of which was to impair those sentiments of public confidence which are the foundation and cement of all personal, as well as political connections. It is certainly impossible to overrate the difficulty of the position in which the Duke of Wellington and Mr. Peel found themselves placed, and it is only just to give them credit for their conduct at this eventful crisis. They were now convinced that only two alternatives remained; either to put down the Catholics by force, or to emancipate them; and they resolved that it was better to do the latter, than incur the danger of a civil war. But the King, the Tory party, and a majority of the people of England, were still confirmed in their pertinacious resistance to the Catholics, when the Ministers, under the sense of an imperative necessity, were about to advise the adoption of the very measures they had so long inveighed against and opposed. Nor was any adequate cause apparent to vulgar apprehensions for so great a change; for there seemed no such striking difference between the Waterford and the Clare elections, as to justify the refusal of Emancipation after the one, and to render the concession of it indispensable

after the other.—There is not a doubt that, if they had followed their own inclinations and consulted their own merely personal interests, they would have resigned, and left the Whigs to carry out the measure they had so long laboured to promote; but they soon found that the work could only be done by themselves; and that they must either expose the country to enormous danger, or undertake a task full of difficulty and humiliation, which could not fail to expose them to the bitterest obloquy and reproach, to the disruption of old friendships and connections, and every sort of unpopularity. They at once flung aside all personal and selfish considerations. They did not hesitate to sacrifice their own characters for consistency; and what was a still greater sacrifice, they did not scruple to adopt the means and expedients (repulsive as they must have been) by which alone success could be insured. The first thing to be done was to impart their designs to the King, and having obtained his consent, to conceal them from the rest of the world. The King was in the highest degree disgusted at the intimation; but he declared that he would only give his consent upon the condition of their *all* remaining in office, and *themselves* carrying the measure through Parliament; and to this, therefore, they made up their minds to submit. He also required that the matter should be revealed to no human being out of the Cabinet, well knowing the

personal annoyance to which he should be exposed if it once got wind. The ministers also were aware that it was essential to prevent a no-popery agitation being got up in England, and they were, therefore, fully agreed with his Majesty on this point. But the inevitable mischief of this secrecy was, that they were compelled to conceal from their best friends and most faithful adherents the intended change in their policy—and to allow those friends to commit themselves by language and conduct which afterwards exposed them to much mortification and embarrassment. It was not long, however, before the ministers began to get in trouble with the King. In August, at a public dinner at Derry, Mr. George Dawson (Mr. Peel's brother-in-law) announced his conversion to the Catholic cause. This declaration made a prodigious sensation; and though he declared that the Government were as ignorant of his intentions as he was of theirs, all the world inferred from his speech that the reports, already rife, of the Duke of Wellington's favourable intentions to the Catholics, were well founded. The King was outrageous, and refused to believe that the secret had not been divulged; the ministers were extremely annoyed with Mr. Dawson, who was all the time quite unconscious of the embarrassment he had caused; and the necessity of counteracting the effect of this premature declaration, compelled them to maintain a greater reserve than ever in all

their communications both public and private. In the course of the autumn Mr. Peel was entertained at several dinners and breakfasts in various great manufacturing towns in Lancashire, but on all these occasions he carefully abstained from uttering a word from which it was possible to draw any inference as to the views or intentions of the Government.

Meanwhile, the cauldron of Irish affairs was perpetually flaring up with some fresh ingredient that was cast into it. In the beginning of 1829, Lord Anglesey's recall excited, in different ways, both Catholics and Protestants, and tended to make the Duke's intentions more ambiguous than ever. The correspondence which led to that recall, was itself caused by the unfortunate course of keeping the Lord Lieutenant in the dark. He was, not unnaturally, provoked with the Duke's want of confidence; while, without intending it, the free and frank expression of his opinions embarrassed the Duke and exasperated the King. Such were the difficulties and the personal differences which this long course of mystification unhappily produced, and which continued up to the eve of the meeting of Parliament. A very short time, however, elapsed after the ministerial plan was unveiled to the world, before circumstances occurred fully proving the wisdom and even necessity of the secrecy and reserve which had been so rigorously maintained.

In the midst of great agitation, of many hopes and many fears, Parliament met on the 6th of February, 1829, when all doubts and speculations were resolved by the speech from the Throne, recommending “a final, equitable, and satisfactory adjustment of the Catholic claims.”

The announcement of this intelligence was received with unbounded joy and exultation by the Catholics, and their friends in this country; and with sullen indignation and resentment by their opponents, of every description and denomination.

The desperate attempts that the anti-Catholics soon began making to defeat the measure, proved how wise and necessary was the secrecy in which the intentions of Government had been shrouded; it was now too late to raise a no-popery cry throughout the country, even if such an experiment could ever have been attempted with a prospect of success; but enough had transpired of the reluctance and disinclination of the King to make it worth while to try what could be done by working upon his prejudices and caprice. The bill for suppressing the Association was first brought in, but before it was passed the Association had already dissolved itself.

A call of the House had been ordered on the 5th of March, on which day Mr. Peel was to bring the Emancipation Bill before the House of Commons; but in the mean time the Duke of Cumberland, backed by Lord Eldon and the old anti-Catholic party, had contrived to work the King's mind into a state

of frenzy. He passed his days in railing against the bill and its authors; and he went so far as to desire a person high in his intimacy and confidence to tell all his household, that he wished them to vote against it, a command which the individual to whom it was given was, fortunately, too prudent to obey.* If his Majesty's ill humour had been confined within the walls of his palace, and had there evaporated, it would not have much signified, but as the time drew near when the irrevocable step was to be taken of proposing the Relief Bill to Parliament, he exhibited very alarming symptoms of a disposition to waver and draw back.

On the 3rd of March it was generally known that the bill was in the greatest jeopardy; and nothing could exceed the consternation which prevailed among the friends of Government and Emancipation. On Sunday the King sent for the Chancellor, pretended that he had not been aware of all the provisions of the bill,† said that the securities did not

* George the Third did the same with regard to Fox's India Bill in 1783: but then he wanted to turn his ministers out, whereas George the Fourth wanted to keep his in.

† This is just what George the Third had pretended as to the measures proposed by Lord Grenville's government in 1806. It is curious how he aped his father; that is to say, in his bad qualities and objectionable acts—not in any of his virtues. He might have been admonished in the lines of Molière—

“Quand sur une personne on prétend se régler,
C'est par les beaux côtés qu'il lui faut ressembler;
Et ce n'est point du tout la prendre pour modèle
[Ma sœur] que de tousser et de cracher comme elle.”

Femmes Savantes, acte i. sc. 1.

satisfy him, and he would not consent to it. The Chancellor could do nothing with him, so, instead of returning to town, he proceeded to Strathfieldsaye, where the Duke of Wellington was gone to receive the judges—there he arrived at three in the morning, and communicated to the Duke what had passed. On Monday the Duke went himself to Windsor, and told the King plainly that it was too late now to recede, and if his Majesty made any more difficulties he would instantly resign. The King began whimpering, said he thought the Duke would never desert him in any circumstances; but finding him totally deaf to his appeals *ad misericordiam*, told him he would take a day to consider of his final determination, and communicate it to him. The Government considered themselves out, and thought every thing was at an end: meanwhile, the King sent to Lord Sidmouth, and proposed to him to come and help him to overthrow the bill, and set the Duke of Wellington and O'Connell at defiance. But Eldon's "young master" did not inspire the confidence which his old master might have done—Lord Sidmouth would not trust him;—he refused, saying to his confidants, that he would have done it for the father but could put no reliance in the son. The King had nothing now left but to surrender at discretion, and he, accordingly, did so. The Duke, the Chancellor, and Mr. Peel, were again summoned to Windsor:—everything was settled;

and on the appointed day the bill was brought in. All the world knows how it was carried by large majorities through both Houses of Parliament—many of the Peers cutting a pitiful figure, which they well knew, and did not soon forget or forgive.* They had year after year been blind to the signs of the times, and deaf to every consideration of justice and reason; but at the bidding of the Duke they laid aside their prejudices and apprehensions; he beckoned them, and they followed him like sheep. The Catholic question was carried, in England, at the expense of many painful ruptures of public and private connections, the disastrous consequences of which were not long in manifesting themselves. It broke up the Tory party afresh; it excited the most violent heart-burnings and animosities among individuals; and it produced such a confusion of political feelings and sentiments, that no one knew whom to trust, or believe, or follow. These were great evils, but still they were such as time would infallibly remedy, and which might patiently be endured for the sake of pacifying and reconciling Ireland, if that para-

* All dangerous opposition was now at an end; but whatever they could, that was vexatious and embarrassing, the King and the High Tories continued to do. The Duke of Newcastle, Lord Mansfield, and Lord Eldon obtained audiences, talked by the hour, and managed to irritate and disturb his mind; but they could not persuade him to quarrel any more with the Duke, or make any further attempts to arrest the progress of the measure.

mount object really was achieved; but, unhappily, a very short time served to show that it was still far from its accomplishment. It is most important to form a correct judgment as to the causes of this failure; important not merely for the purpose of wiping away prejudice and misconception, but in order that a perfect understanding of the case may serve as a warning and a guide in dealing with the question now before us. When the Duke of Wellington made up his mind to carry the Catholic question, he wisely resolved to do it completely, to give unqualified Emancipation, and not to trouble himself about securities; at the same time he was beset with difficulties which it required all his authority, and no small tact and management, to surmount. He had to gain over the King and the Tory party, and to reconcile both to the measure which, of all others, they most abhorred. His object was to give satisfaction to the Catholics, and, at the same time, to make the concession as palatable as he could to his Royal Master and his own friends. Of all living men he most thoroughly knew George the Fourth; but, whatever may have been his personal opinion of the King, he had a profound reverence for his office, and he probably felt that he was not entitled to deal in a very peremptory manner with prejudices which he had himself only so lately discarded. It may be presumed that it was for these reasons he con-

descended to humour the King in his angry and ungracious mood. The King could not raise his mind to the height of the great argument, nor wisely give the assent, which he dared not withhold, in a frank and gracious spirit. On the contrary, he became peevish and querulous, made his reluctance notorious to the whole world, gave all the trouble he could to his ministers, and, instead of courting the popularity which he might easily have obtained from the Irish, he was bent upon gratifying his spiteful and vindictive feelings by the exclusion of O'Connell from the seat he had won; and it was the King himself who insisted that the clause in the Act should be so worded as to render the Clare election null and void. To this miserable revenge, this kick at the living lion, it was unfortunately thought worth while to consent; in like manner, the suppression of the Association by a stroke of authority, and the disfranchisement of the forty-shilling freeholders, were measures intended to smooth the ruffled plumage of the Tories; while the Catholic bishops were prohibited from calling themselves by the titles of their Sees, in order to propitiate the Church. The alteration of the franchise had been admitted long ago, by the Catholics themselves, to be a desirable reform; and the Government seems to have fancied that, when they had got the substance of emancipation, they would not care about matters merely formal, while the Protestants would be

reconciled to the obnoxious measure itself, by the penal accompaniments against the instruments by which it was accomplished. A great mistake was made in reference to both parties ; the Protestants were not conciliated, and the Catholics were deeply offended, by this qualified and imperfect measure. When the Duke trusted to the matchless ascendancy he had acquired over the minds of his party, it is a pity he did not trust to it entirely, and have thought only of satisfying the Catholics, and making his measure complete and conclusive ; for those who swallowed so much, would hardly have rejected anything he thought fit to prescribe. The battle had been fought, and the victory gained, by the united energies of the Association, of O'Connell, of the freeholders, and of the clergy ; and upon each of these agents something which had all the appearance of a punishment (and which was intended to pass with the Protestants as such) was inflicted. The Association, which would readily have dissolved itself (as it did), was suppressed ; O'Connell was ousted from his seat, and imprudently sent back to exhale his mortification and resentment at another Clare election.*

* He had authorised Mr. Spring Rice (now Lord Monteagle) to state in the House of Commons his acquiescence in the excluding clause, which Mr. S. R. did. He and Lord Morpeth afterwards made a motion for amending the bill in this respect, which was negatived. As soon as his exclusion was voted, he wrote a long letter to the electors in a very intemperate and abusive strain ; and at the election he made violent speeches, in which he announced his intention to begin agitating forthwith for Repeal.

The voters who had achieved the triumphs of Waterford and Clare were disfranchised, and the whole Catholic clergy of Ireland were insulted in the persons of their bishops. Such were the feelings of the people : nor were they at all grateful for concessions which they were plainly told were not made to them from motives of reason and justice, but merely from necessity, and because their opponents found themselves worsted. "I have for years," said Mr. Peel, "attempted to maintain the exclusion of the Roman Catholics from Parliament, and the high offices of the state—I do not think it was an unnatural, or unreasonable struggle—I resign it in consequence of the conviction, that it can be no longer advantageously maintained ; from believing that there are not adequate materials, or sufficient instruments, for its permanent and effectual continuance ; I yield, therefore, to a moral necessity which I cannot control, unwilling to push resistance to a point which might endanger the establishments that I wish to defend."*

But the truth is, that Emancipation came too late; the good which might certainly have been effected in 1825, and possibly in 1827, was no longer attainable in 1829. A mighty spirit had been evoked in Ireland, which those who raised it were now unable to lay. In 1825 the tranquillity did prevail which the Duke of Wellington so much wished for in 1829, but it prevailed to no purpose. Nobody would then

* Speech on Catholic Disabilities in 1829.

have objected to the disfranchisement of the forty-shilling freeholders, who had not yet distinguished themselves as heroes and patriots, or even dreamt of the glories of Waterford, Louth, and Clare. The disfranchisement which, in 1825, would have been dispassionately considered as a mere measure of Parliamentary reform, was treated, in the midst of the excitement of 1829, as an invasion of the privileges of the great body of the people. In 1825, the tremendous agitation and organisation, which left no alternative but civil war or concession, had not begun; and if the question had then been settled, in all probability it never would have been heard of afterwards. Nothing short of the Catholic disabilities, and the remnant of the penal code, could have called into existence the Association, and armed it with the formidable power which it exercised; but when the Irish people were once accustomed to agitation and excitement, when their passions were thoroughly roused, and a thousand motives of interest, ambition, and vanity, were put in motion, it was impossible to restore tranquillity, though the original cause of disturbance had ceased.

But, besides that the concession came too late, it was not made at last in such a conciliatory and comprehensive spirit, as to give it the best chance of success, and the advice and opinions of the principal Catholics, both laymen and ecclesiastics, were neglected or overlooked. It had been emphatically

urged, that concession, coupled with raising the qualification, *and a provision for the Catholic clergy*, would make the mind of Ireland sound; that the payment of the clergy would be a sensible relief to the people, and by making the clergy independent, would raise their respectability and character; but without *such a settlement*, it would continue in a state of disease, and would perpetually show itself in convulsions: it was Mr. O'Connell's opinion (already quoted in his evidence) that if Emancipation was not given in a proper spirit, it had better not be given at all; "that unless it was done heartily and cordially, it would only give them additional power, and leave them a stimulant for exciting it." And this is precisely what occurred. The predictions of these well-informed and well-judging witnesses were verified—the Bill gave no sensible benefit or advantage to any class,—the clergy gained nothing,—the people were not relieved, and the spirit of it was not "heartily and cordial;" and, consequently, the stimulant for future agitation was not only left, but very soon brought into active operation.*

The Emancipation Bill had hardly become law, before the antipathies of the rival sects began to

* As if to show, that its dissolution depended on its own volition, and not on the Act of Parliament, the Association did not scruple (though under another title) to reassemble in order to take measures for securing Mr. O'Connell's return, and making certain financial arrangements.

manifest themselves in acts of violence. The Orangemen imagined, or pretended to believe, that they were in danger, and began to organise, and to arm themselves; every casual collision produced contention and bloodshed, and in many parts of the country nothing but the presence of the military prevented open war. This great measure, which was to reconcile and tranquillise Ireland, had not been above four months in operation, when a numerous meeting of the magistrates of Tipperary expressed an unanimous opinion, that a renewal of the Insurrection Act could alone secure the peace of the country.

Mr. O'Connell openly set up the standard of Repeal, and endeavoured to put in motion all the old machinery which had been so successfully employed in the cause of Emancipation.

In the beginning of 1830, an association was formed in Dublin, called "The Friends of all Ireland, and of all Religious Persuasions." They put forth a catalogue of legislative measures, of which the most prominent was the Repeal of the Union, and they announced their determination to combine and agitate till every one of their demands was conceded. The Lord Lieutenant prohibited the meetings of this society; but it was no sooner suppressed than another was formed, called the "Anti-Union Association." This was also put down by proclamation; but a fresh one instantly started up under the

title of "The Association of Irish Volunteers for the Repeal of the Union." Another proclamation was issued against the Volunteers, who, accordingly, did not meet; but they sought compensation in the outpouring of every sort of abuse and insult against the Government, which fully answered the purpose of exciting the passions of the people, and neutralising all the good that the Act of Emancipation was intended to effect. These violent and inflammatory proceedings disgusted all persons of respectability, and especially those who regarded the Repeal of the Union as the greatest of evils, and most insane of projects. The Duke of Leinster convened a great meeting of noblemen and gentlemen, who voted resolutions expressive of their determination to support by all the means in their power the legislative union between the two countries. The Catholic bishops refused to give their countenance to the Anti-Union scheme; and during the general election, no attempt was successful to extort from any candidate a pledge to vote for Repeal, the desire for which, at that period, had certainly not taken very deep root in Ireland.

Such was the condition of the country, when, in November, 1830, the dissensions in the Tory party, which Catholic Emancipation had caused, led to the fall of the Duke of Wellington's government, and Lord Grey and the Whigs came into power.

It is not necessary for my purpose to set forth the

details and circumstances of the ten years of Whig Irish administration, though a brief and cursory allusion to some of its most remarkable and important features cannot be avoided.

The accession to office of the long-tried friends of the Catholics, and the return of the popular Lord Lieutenant, who had been considered a martyr to their cause, might have been expected to produce some pacific effects, and, at least, to arrest the violent course which Mr. O'Connell was pursuing ; but it did not do so for an instant ; agitation for the repeal of the Union was continued with unabated vigour ; and he soon began to attack and revile Lord Anglesey and the Whigs with as much bitterness and fury as he had formerly directed against the Duke of Wellington and the Tories. The opponents of Emancipation had foretold that the bill would not produce the peace and tranquillity which its supporters had anticipated ; and they had now the satisfaction of exulting in the verification of their predictions. It was true, that there never had been a period when the state of Ireland was more deplorable and more dangerous, and that the Emancipation Bill had produced no practical benefit, and no improvement in the condition of the people. But the cause of this lamentable failure was, not that the measure was unwise, but that it was incomplete—not that it was bad in principle, but that it was too late in its application. The evils and calamities of Ireland, and the

failure of the remedies for their cure, had the same origin and cause—that obstinate opposition to the claims of the Catholics, which was not to be overcome by any consideration of humanity and prudence—which was insensible to the continually diminishing power of resisting those claims on one side, and the continually increasing power of enforcing them on the other—which was blind to the signs of the times, and to the approach of the events which cast such long shadows before them. It was this opposition which had driven the Catholics to the adoption of measures, the consequences of which they did not themselves foresee or contemplate. It was this which roused the energies of O’Connell, which gave birth to the Association, and which generated the combination and agitation, that spread like wild-fire, and, from a small spark, lighted up a conflagration in the land. This agitation, with all its train of effects, was to the last degree mischievous and dangerous ; but who can doubt that, without it, the Catholics never would have been emancipated ? And they alone must be held responsible for the evil consequences, who drove them to take such desperate means to accomplish a legitimate end. But, in admitting this, it must also be said, that although Mr. O’Connell might feel a just resentment at the manner in which he had been personally treated, and that it was not easy for him, if he had been inclined, to make the waters of agitation recede at once within

their banks, no excuse can be found for his conduct in immediately setting up the question of Repeal, and beginning a fresh course of violence in support of it. He gave no breathing-time to the country. He would not permit the sources of prosperity and improvement to be opened. He infused fresh bitterness into the minds of the English and the Protestants, and did his best to hinder that "justice to Ireland" being done, for which he has ever since been clamouring. Be the grievances or the necessities of Ireland what they might, after the concession of Emancipation, and the advent to office of the party which had constantly advocated the rights of the Catholics, there is no redress that Ireland might not reasonably have expected.

The Whig Government evinced every disposition to frame measures of Irish reform. In 1832 and 1833 the Tithe Commutation Act was passed, Vestry Cess was abolished, and the Irish Church regulated and reduced. But so far were these measures from conciliating the agitators, or leading to anything like tranquillity, that it was at the same time considered necessary to introduce the Coercion Bill to suppress the disturbance and outrages that prevailed. Lord Grey, in bringing it before the House of Lords, described the condition of the country, which had rendered it indispensable. He said that he did not apply for a committee of inquiry, "because the evils to be redressed were so notorious, as to render inquiry

superfluous—that a system of association prevailed, avowedly directed to the accomplishment of objects threatening the peace and safety of the community, and the unity and integrity of the empire—that it was to put down combinations, formed in defiance of the law—to defeat armed bodies that violated the rights of property, inflicted death for purposes of terror or vengeance, and rendered the law nugatory, by deterring prosecutors and witnesses, and intimidating jurors. The Association newly formed in Ireland had avowedly for its object the Repeal of the Union. Neither past experience nor the present aspect of affairs, furnished any expectation that a mere redress of grievances would restore peace to Ireland. No one had been more sanguine than himself in hoping that Emancipation would have produced tranquillity, and that Parliament would have been permitted to pursue its course of further amelioration undisturbed by popular violence; but he had been grievously disappointed. To allow such a pause did not suit the views of the promoters of agitation—the sweets of power had been tasted by the popular leaders, and the slow work of redress did not answer their wishes or their purposes; from that moment agitation was renewed, and the state of Ireland had become, and was now perhaps, worse than at any former period.”

There was no exaggeration in this statement; Ireland presented a scene of complete social disorganisation. The moral and religious people, as

Mr. O'Connell delights to call them, were perpetrating the most atrocious and cold-blooded murders, and depredations accompanied with every conceivable variety of violence and terror; all the crimes and evils were let loose upon society, which religion and morality most abhor, and the prevention and punishment of which constitute the chief function of all government and legislation. And why was all this? Because the mass of the people were ignorant, destitute, unemployed, and excited. It is possible that Mr. O'Connell could not have prevented these excesses—it is certain that he did not try. It was one thing to bid the people be sober, and honest, and peaceable, during the ten days of the contest for Clare; another to make them practise all the virtues under heaven for the indefinite period of attainment of Repeal. When he first began to employ the tremendous instrument of agitation, he set it in motion for purposes limited and defined as to place, time, and circumstance: it was essential to his objects to discipline and regulate the passions and energies he had brought into play, and he succeeded in doing so in a wonderful manner. But it was far easier to continue the agitation itself, than the system of restraint by which its tendencies were counteracted; and accordingly, when those popular passions and energies were no longer condensed and applied to specific objects, but the high pressure still kept up, for the sake of vague and unintelligible or unattainable generalities, they soon

escaped from all control, and broke out in those repeated enormities which have rendered Ireland a curse to itself, and a by-word among the nations of the earth. For all this Mr. O'Connell is deeply responsible: his conduct and his character, however, can only be fairly judged at a more distant period, and by a more impartial generation:—if, indeed, he had been a man of a calm and philosophical temperament, he would have probably sacrificed all feelings of personal ambition and resentment, and have reposed on the laurels of his great achievement; but if he had been such a man he would never have been “the daring pilot in extremity,”—would never have been an agitator, or gathered any such laurels to repose upon.

“It is in the nature of everything that is great and useful, both in the animate and the inanimate world, to be wild and irregular; and we must be contented to take them with the alloys which belong to them, or to live without them. . . . Tempests occasionally shake our dwellings, and dissipate our commerce; but they scourge before them the lazy elements which, without them, would stagnate into pestilence.”*

And so of O'Connell; it might have been highly convenient to “pare him down to a bashful regularity;” but it was his “great and irregular” mind that scourged into activity the lazy elements of Irish

* Erskine's speech on Stockdale's trial.

resistance, and achieved the Emancipation of his country.*

Lord Grey's Coercion Bill was not inefficient for its purpose, but it stimulated the indignation of Mr. O'Connell to the highest pitch; and he seized every opportunity of assailing the Government with all his vituperative powers, while they, with more than questionable propriety, attacked him in return, through the medium of the speech from the throne.†

But changes of great importance were now at hand. The Cabinet had become full of discord and confusion. Mr. Ward's motion on the Irish Church produced the resignation (on the 27th May) of Lord Stanley, Sir James Graham, the Duke of Richmond, and Lord Ripon; and six weeks later (July 9th), the strange and complicated transaction which occurred in respect to the renewal of the Coercion Bill, determined Lord Grey himself to retire. The consequence of all these resignations was the formation of the Melbourne ministry, and the commencement of a better understanding, and

* "Sous ses inconséquences apparentes, on retrouve une suite parfaite dans les vues d'O'Connell. A l'aide de mille moyens qu'il sait multiplier sans cesse, et varier à l'infini dans ses exigences du moment, il poursuit toujours le même but, la rehabilitation politique de ses coreligionnaires et de son pays. En faveur de la constance du principe qui le fait agir, l'histoire lui pardonnera ses variations continues, ses jugements si divers, sur les mêmes mesures, et les mêmes hommes."—*Considérations sur l'Etat Actuel de l'Irlande et de son Avenir.*

† On opening the session of 1834.

more amicable relations between the Government and Mr. O'Connell.

The effects of this were almost immediately apparent: the Coercion Bill was renewed, but in a curtailed and less offensive shape;* and when the new Tithe Bill was brought in, Mr. O'Connell was permitted to carry an amendment, which made a great alteration in its operation and consequences.

The Liberator was, however, not yet, by any means, on cordial terms with the Whigs, for while he told them that one of his objects was "to reconcile, if possible, the popular party in Ireland with the present ministry," he accused them of having "deceived him, and bitterly and cruelly deceived Ireland."†

But the sudden dismissal of the Government by William IV., on the death of Lord Spencer, quickened and matured the alliance between these high contracting parties, and when the new Parliament met in 1835, O'Connell and his Tail formed an important section of the Whig and Radical force. On the 8th of April, in consequence of the division on the famous appropriation clause, Sir Robert Peel resigned, and Lord Melbourne's cabinet was restored; on the 18th, Lord Melbourne announced himself to the House of Lords as minister, when he

* The powers which the Act conferred to prevent public meetings, proved the great bone of contention, and these were remitted in the renewed Act.

† Correspondence with Lord Duncannon.—*Vide Ann. Register.*

was interrogated with respect to his alliance with O'Connell, and Lord Alvanley asked "whether he had changed his opinions, and if he had, on what terms the change had been effected, as the aid of Mr. O'Connell was not to be secured for nothing."

Lord Melbourne declared "that he entertained the same opinions as heretofore, and he did not know whether he should have the assistance of Mr. O'Connell or not; but that he had taken no steps to secure it, had entered into no terms whatever, nor said anything from which any inference could be drawn, in order to secure his support."*

There is no doubt that this was strictly true, for Lord Melbourne was incapable of saying anything that was false; but though there was no treaty, bargain, or compact, no condition or promise on one side or the other, there was a tacit expectation on the part of the Government, that Mr. O'Connell † would support them, and the same expectation on his, that the government of Ireland would be administered in a manner congenial to his wishes and opinions, and in this neither were disappointed. It was, however, a very strange and anomalous connection, and though it kept the Government alive

* Annual Register, vol. 78, p. 238.

† It has always been supposed and confidently asserted, that the appropriation clause was adopted because O'Connell insisted on it, and that this was a part of the price paid for his support: nothing can be more erroneous. He was against the appropriation clause, and wholly disapproved of the resolution.

for a few years, it ultimately proved fatal to their credit and popularity in England. O'Connell, while he helped them in all situations of extreme danger, and thus made them appear (as in fact they were) dependent upon his support, reserved to himself the privilege of a perfectly free agent; and his attacks on the House of Lords, and the general violence of his language and conduct, exposed the Government to no small share of the obloquy to which he rendered himself obnoxious.

When Lord Melbourne resumed office, Lord Normanby was appointed Lord Lieutenant of Ireland, and notwithstanding the abuse, and attempts at ridicule, which have been so unsparingly heaped upon his administration, I believe that Ireland never saw one more fearless, honest, and useful. It may suit party purposes to accuse him of hunting after popularity, or of making undue concessions to O'Connell and the Catholics; but he has the undeniable fact to plead in reply to all charges and sneers, that Ireland never made more rapid improvement than during the four years of his Viceroyalty. He went there determined to govern in a spirit of justice, impartiality, and firmness, and the confidence he inspired did more than any coercive measures had ever been able to effect towards reducing the country to a state of order and peace. For the first time, the Irish Catholics began to feel that the Government really cared for their interests, and was

disposed to make the welfare and prosperity of Ireland the principal object of its solicitude. Under his administration, the amount of crime largely decreased, predial outrages became less frequent,—the fierce feuds of the peasantry were discontinued, and the mass of the people grew more civilised and humane. Catholics and Protestants were employed, and trusted without distinction of religion, and between 1835 and 1839, the Repeal of the Union* seemed to be almost entirely forgotten or discarded.†

But in proportion to the popularity of the Lord Lieutenant with the majority of the people, was the

* A very remarkable address was presented to Lord Normanby in 1836 from the town of Mallow : “ We stand before you,” they said, “ in number amounting to above 100,000 ; the greater part of us own ourselves as having belonged to that party in this county who advocated the Repeal of the Union. We thought the only remedy for such evils was a recurrence to a domestic legislature ;—but the experience we have had of your Excellency’s wise, just, and paternal government has taught us otherwise ; and we tender to your Excellency our solemn abjurations of the question of the Repeal of the legislative Union, and of any other question calculated to produce an alienation of feeling between the inhabitants of Great Britain and of Ireland.” It would be curious to enquire how many of these abjurers are now Repealers again.

† In offering my humble but sincere tribute to the merit of Lord Normanby’s administration, justice requires that with his name should be associated those of his two able and excellent coadjutors—Lord Morpeth, and the late Mr. Drummond—men, who will ever be remembered with gratitude and affection by the Irish people—one of whom has been too early and prematurely taken from the service of his country, while the other has, it may be hoped, a long, honourable, and useful career still before him.

detestation in which he was held by the Protestant minority.

It was, however, the misfortune, rather than the fault, of Lord Normanby, that the good which he accomplished was not of a permanent and decisive character. The Irish were conciliated to the Whig party, rather than to the English nation. The elements of disunion and disorder were hushed for the time in a sort of grim repose; but as the Lord Lieutenant was unable to carry into effect any great measures of relief and reform, it was always in the power of Mr. O'Connell to stir up the people at his pleasure, to recommence the work of agitation, and raise afresh the old cry for Repeal, or whatever else it might suit his purpose to insist upon; and he took care, from time to time, to make significant demonstrations of his power. In the summer of 1838 he began to display an extraordinary activity, and announced the formation of a new association, called "The Precursor Society," who were to get up petitions in every parish for "Justice to Ireland." He complained of the disinclination of some and the indifference of others amongst the English Reformers to see Ireland righted—acknowledged that the present Ministry would obtain justice for Ireland if they could, but that the English Tories were too strong for them—and declared that he would make one more experiment, "then Justice to Ireland, or Repeal."

In 1839 Lord Normanby was recalled from Ireland

to replace Lord Glenelg at the Colonial Office, and Lord Fortescue was appointed Lord Lieutenant.

There was of course no change either made, or contemplated, in the Government policy; but some time in 1840 the new Lord Lieutenant thought it necessary to denounce Repeal by an intimation that no Repealer would be countenanced at the Castle. The quasi alliance, however, continued to the end of the Whig Ministry, though Mr. O'Connell, in the debate on Sir J. Yarde Buller's motion in the beginning of 1840, declared that he was still a Repealer. In the summer of 1841, Lord Melbourne's Government was brought to an end, and Sir Robert Peel became Minister. For some months after his accession to office, there seemed to be no reason for the apprehension he had expressed, that "Ireland would be his principal difficulty," but this comfortable illusion was entirely dispelled before the end of 1842. The Repeal cry was then raised in good earnest, and it spread through the whole length and breadth of the land; its appalling progress, with the whole history of the monster meetings, are too recent, and too familiar, to require any narration or description here.

I have now brought to a close this sketch of the international relations of England and Ireland, endeavouring to disentangle the details of oppression and misrule from the mass of contemporary events and collateral circumstances, so as to present, in one

clear and distinct view, the whole series of causes and effects, which, unless the Irish had been unlike the rest of mankind, and animated by different desires, feelings, and passions, could by no possibility have produced any other consequences than those we have seen, and those which are, unhappily, still before our eyes. When, at the close of the Peninsular war, an intelligent Spaniard (well known in this country) was reproached for the tameness with which his countrymen had submitted to the re-establishment of their old despotism and the Inquisition, he replied: "Well, the Spaniards like the Inquisition and detest liberty; what would you have? it is an affair of taste." But the Irish never acquired any taste for the penal laws, and they have been as ardent lovers of liberty, both civil and religious, as ourselves. I have tried to show, and as much as possible by quoting the evidence and descriptions of the highest authorities, the treatment which Ireland experienced from England, and the Catholics from the English and Irish Protestants united; and how long and obstinately the same selfish and intolerant system was pursued. The Irish Catholics are continually reproached with their ingratitude and their unreasonableness in never being satisfied with what they have obtained. But how, and why, should they be satisfied? The science of Government, however difficult and complex the practical elaboration of its details, is simple and intelligible in its general

principles. In some countries, Government and Legislation depend entirely on the inclination and will of the Sovereign; but in ours they are held to be matters of reason and judgment, the sole aim and object of which is the prosperity and happiness of the nation at large. The widest difference of opinion may logically and conscientiously exist as to many of the means most conducive to that end; but it is impossible, in any society, for the mass of the people not to know and feel whether the laws under which they live, and the manner of their administration, do actually render them thriving, prosperous, and contented, or the reverse. "The most poor, illiterate, and uninformed creatures upon earth," said Burke, "are judges of a practical oppression."*

The English could not be persuaded that the Star Chamber, the High Commission Court, ship money, and forced loans, were things to be thankful for and satisfied with; nor the Scotch, that it was for their benefit and felicity that the Presbyterian religion was abolished, Episcopacy enforced by boots and thumb-screws, and such rulers bestowed upon them as Sharpe, Lauderdale, and James.†

The English and the Scotch shook themselves free from their chains; but they united to rivet on the Irish, fetters of the self-same description. The Irish,

* Letter to Sir H. Langrishe, p. 346.

† Duke of York, afterwards James II.

in their turn, demanded the same immunities which their fellow-subjects had vindicated for themselves: and what was the answer that they got? not that the laws under which they lived were framed or calculated for their happiness and advantage, but that they must continue to submit to them, because the English and Scotch hated and feared the Catholic religion, and did not choose that those laws should be repealed; or because the King had scruples of conscience which forbad his placing them on a level with the rest of his subjects; or because the removal of their privations and disabilities would be inconsistent with certain constitutional theories, which the English considered it essential to their own interests to maintain, in all their rigorous integrity. I have endeavoured to steer entirely clear of polemical, and as much as possible of political dissertation, and therefore I do not stop to discuss the value of such arguments; but it is surely evident that they are calculated to stifle, in the minds of the Irish people, every sentiment of loyalty to the British Crown, and of attachment to the British connection: for what are to them the consciences of kings, or any constitutional theories, in comparison with their own rights, and those privileges and advantages from which they, and they alone, have been unjustly debarred?—it is true that the heaviest of the grievances which engendered such feelings have been removed, but the people, reasonably or unreasonably, are still

dissatisfied, nor will they ever be contented so long as they are, or think that they are, in a condition of inferiority, and less favoured than the rest of the Queen's subjects. "I believe it to be possible," says Burke, "for men to be mutinous and seditious, who feel no grievance, but no man will assert, seriously, that when people are of a turbulent spirit, the best way to keep them in order is to furnish them with something substantial to complain of."*

It may be acknowledged that *every* government, Whig or Tory, the present not less than the last, is sincerely desirous of promoting Irish interests, and soothing Irish feelings; but as long as the Church grievance remains unredressed, the most conciliatory and beneficial measures can only produce an imperfect or a temporary effect—that grievance will always be convertible into an instrument of mischief; for no one can really believe, that the Irish will accept compensation in some other shape, and make up their minds to submit to it. The difficulties which beset the question are certainly very great, but not greater than the evils connected with, or engendered by it. We may heap remedial and beneficial measures one upon another, but without a satisfactory Ecclesiastical arrangement, they will fail to make Ireland permanently contented and peaceful.

* Letter to Sir H. Langrishe, p. 346.

CHAPTER II.

I now propose to show, as briefly as may be compatible with affording an intelligible view of the subject, how the great question of religious sects and religious establishments is dealt with by other states. It may be useful and not uninteresting to set forth the regulations which obtain in foreign countries, where there is a mixed religious population, to ascertain, as far as possible, their practical results upon the social and political condition of the people, and compare those systems with our own.

In several of the continental states, and more especially in those of Germany, there exist considerable varieties of numerical proportion, of Church government, and of forms and circumstances of religious worship. The conflict of these forms, connected as they are with the strongest convictions and passions of mankind, is, indeed, apt to break out with renewed force, even under the control of the most absolute governments: but nowhere, except in Ireland, have these questions been allowed to remain loose, irritating, and unsettled;—nowhere else has the governing policy of the State repudiated or neglected those means of influence which the constitution of

the Roman Church enables her to confer, even upon Protestant princes—and nowhere but in Ireland have religious dissensions struck their baneful spirit into the heart of the community, until the creeds of either sect are become badges of the fiercest political hostility.

There are states in which the Catholics, and others in which the Protestants, largely preponderate : there are others in which the division is nearly equal. In one kingdom a Catholic sovereign and family reigns over a Protestant people :* in another, a Protestant prince has been called to a Catholic throne : † yet in none of them shall we find these differences of faith converted into lasting and frightful sources of civil disturbances and mutual hatred.

Without attempting to enter into all the details of so vast a subject, it is worth while to point out the two most prominent features common to what may be termed the ecclesiastical constitutions of all these states. In the first place, in none of them does complete toleration co-exist with an extreme inequality of condition. Wherever the existence of a church or sect has been recognised, its ministers and its internal government have been more or less supported and influenced by the administrative power of the civil government. Wherever the law has adopted the principle of complete toleration,

* Saxony.

† Belgium.

it has hastened to place the sects so tolerated in a position not dissimilar or hostile to that of the predominant religion, more especially by marks of equal respect to the ministers of every Church, and by relieving them from a dangerous and direct dependence on the voluntary contributions of their flocks.

In the second place, however, it must be borne in mind, that the very existence of this politic interference, on the part of the State, implies a corresponding diminution of the independence and self-governing power of religious bodies. In these particulars, no country in Europe presents any complete analogy with the United Kingdom ; that is to say, that whereas in England, Scotland, and Ireland, all the various existing churches, whether Anglican, Presbyterian, or Roman Catholic, do, in reality, govern themselves, with or without the formal sanction of the legislature, but with no direct interference on the part of the political advisers of the Crown (except in the nomination of bishops and of certain ecclesiastical officers of the established Church), in all other European countries (except Belgium) the supreme control over all clerical persons and forms of worship centres in the State, and in one ministerial department of the State. Thus, more especially in the great monarchies of Germany and France, although there are the utmost divergencies of religious forms, there is a certain uniformity of ecclesiastical authority ; and the contentions

which arise, are more commonly struggles between the ministers of religion and the temporal power, than conflicts between the prejudices or interests of rival Churches. To this degree of control and subjection, it is needless to add, that no church in the British dominions will ever submit; but a far less direct and preponderating ascendancy would doubtless enable the civil power of this country to remove many of the disadvantages of the Irish clergy, to improve their means of education, and to raise their condition. The following examples will show that in almost all the countries of Europe, whether the government be Catholic or Protestant, such a power has been acknowledged by the Court of Rome, and beneficially exercised for the tranquillity of the population and of the Church.

AUSTRIA.

THE Roman Catholic is the dominant and established religion in all the States of the Austrian empire. The toleration of the Protestant communions, rests upon the edicts of toleration of Joseph II., confirmed by two succeeding sovereigns. They are admissible to all employments, civil and military. In Hungary, the civil and religious rights of the Protestants are defined, and constitutionally

recognised, and were guaranteed by an act of the diet in 1791.*

Although the Roman Catholic religion, which is professed by the great majority of the population of the Austrian states, enjoys some privileges over the Protestant sects, nothing can be more mild, wise, and even liberal, than the general administration of ecclesiastical affairs.†

It is strictly recommended to the members of different religions mutually to respect each other, to live in peace and harmony together, and not to molest one another on the score of their respective tenets.

The Catholic clergy, in their sermons, or other public discourses, are bound to abstain from all insulting or satirical expressions against those who profess another mode of worship. The Protestants, on their side, are obliged to manifest respect towards the religious rites of their Catholic fellow citizens, and to abstain from controversy in public places. In the schools, the youth of different persuasions have separate religious instruction, and they receive other branches in common. Protestant children

* It was decreed, that churches and chapels should be erected for all on equal terms, that the Protestants of both Confessions should depend on their spiritual superiors alone, and that public offices, high and low, great or small, should be given to natural-born Hungarians, who deserve well of their country, let their religion be what it may.

† Dal Pozzo, *Catholicism in Austria*, p. 134, 136, 137.

who frequent Catholic schools retire when the Catholic catechism is heard.

The Protestants are not obliged to contribute to the reparation or maintenance of Catholic churches, and when they have schools of their own, they are under no obligation to contribute to the support of the Catholic schools.

It is a duty incumbent on every Catholic parish priest, to take care that the laws of toleration be accurately observed by both sects. He is bound to conciliate differences, to prevent disputes, and report, on proper occasions, all contested matters to the public authorities for their decision.

BAVARIA.

THE Protestants in Bavaria formerly only enjoyed such toleration as was granted by the treaty of Westphalia in 1648; but in 1799, by an edict of the late king, all difference and distinction was extinguished, the Roman Catholic ceased to be the established religion of the State, and all employments were laid open to persons of the Lutheran and Calvinistic confessions,—the three Christian communions (Roman Catholics, Lutheran, and Calvinistic) are declared to be on an equality with respect to all rights. They have the same privileges, without any prefer-

ence; and an exclusive right in favour of one of their churches would be in direct opposition to the principles of the constitution. The burying-grounds are mostly common to persons of the three confessions, though in some places separate. At Munich, there is but one common burying-ground, and this arrangement has never given rise to the slightest difficulty.

The Catholic Bishops of Bavaria receive salaries from the State, and the revenues of the prelates and chaplains are determined by the Concordat, which was made in 1817, between the King of Bavaria and the Pope: as the livings were not touched by the secularisation of 1808, the curates receive what they formerly did, from their respective parishes, and are under the special protection of the State.

SAXONY.

THE kingdom of Saxony contains about 1,400,000 inhabitants, who, with the exception of about 40,000 or 50,000 Catholics, and a few Calvinists, Quakers, and other sects, are all of the Lutheran persuasion. Up to the period of the treaty between France and Saxony in 1806, the Lutherans enjoyed important privileges; but, by that treaty, perfect equality was established between them and the Catholics. In

1811, at the request of the States of the kingdom, equal rights were granted by a royal decree to the Calvinists; and in 1814, the Bohemian Brothers (Herren Hütter) Quakers and Methodists were recognised as Protestants, and admitted to an equality of civil rights.

The number of Catholic parochial churches and chapels is unlimited; but there are places in which the same churches are used by Catholics and Protestants, the divine service of both communions being alternately celebrated.

The king himself being a Catholic, has nothing to do with ecclesiastical affairs: they are managed by a Protestant consistory, which disposes of church livings, and appoints professors and schoolmasters; and the three members of the Privy Council, who, in the last resort, decide all questions relative to the Protestant Church Establishment, can none of them be Catholics.

The Catholic clergy enjoy a *forum privilegiatum*, and are subject to the Catholic consistory, and not to that of the civil tribunals, except in certain specified cases, a privilege similar to that which the Protestant clergy enjoy.

Lusatia is the only province in which the Roman Catholic religion possesses dotations and real property. In the other parts of the kingdom, the salaries of the Catholic clergy, and all the expenses incidental to the services of the Catholic church, are paid out of the king's privy purse.

PRUSSIA.

IN the year 1835, an account of the Ecclesiastical state of Prussia was furnished at the request of the British Government, by the Prussian Minister for Foreign Affairs. This report, which was laid before both Houses of Parliament, contains ample and accurate details with regard to the Ecclesiastical establishments of that country.

The population of Prussia was divided (in 1831) as follows :—*

Protestants	.	.	(about) eight millions.
Roman Catholics†	.	.	(about) five millions.

In the whole country there is not a single circle in which there are not some Catholics among the Protestants, or some Protestants among the Catholics; but in some circles both confessions exist in considerable numbers, and in these, therefore, Protestant and Catholic churches will both be found.

The province of Silesia contains about 1,300,000 Protestants, and 1,100,000 Catholics. The proportions of each vary greatly in the different circles, but in most of them the members of the two persuasions are so much mixed in daily intercourse, that a friendly relation has been established amongst all classes.

* A census of the inhabitants, distinguishing their several religious persuasions, is made every three years.

† (Omitting fractions and small sects, insignificant in point of numbers.)

Neither of the two Churches enjoys any legal precedence over the other as being in exclusive connection with the State. The King is the Head of the Protestant Church, and in virtue of his Episcopal power, he exercises the right to Ecclesiastical appointments and promotions. By the right of patronage, the King confers a number of clerical offices in all provinces among both confessions. The appointment of Catholic Bishops is regulated by a Bull, called "*De Salute Animarum*," granted in 1821, by which the King is possessed of the virtual, though not of the nominal, power of appointment.*

There exist no general rules respecting the support of the Clergy, but the incomes of the higher Catholic Clergy are fixed by the Bull. In respect to the incomes of all other livings, either of the Catholic or Protestant Church, the Clergyman receives it either in kind or in money; and it arises either from real estates or tithes, rents, and other payments from land. The Crown has undertaken the payment of the Catholic dignitaries; and in the Trans-Rhenane provinces, it pays a salary to the Clergy, in compensation for the Church property

* The chapter has the right of election; the King fixes the day, and sends a commissioner, who takes no part in the canonical affair of the election, but declares to the members of the Chapter the intentions of the Crown. A contemporary brief of Pius the Seventh obliges the Chapter to elect "*personam Regi gratam*," so that the individual most agreeable to the Court is generally elected. The bishop-elect is confirmed by the Pope, and approved by the King.

which was seized and alienated by the French during their occupation.

The maintenance of the Clergy proceeds generally from the peculiar endowment of each congregation. When this is not the case, the congregation that desires the services of a Clergyman is responsible for his maintenance. The Government, in general, is not obliged to vouch for the salary of the Clergy of either confession; nevertheless, the number of parishes is not small which enjoy a support out of public funds, by the favour of the King. There exist in both confessions surplice fees, which are divided among the Clergy, the Church servants, and the Church.

In general every Church has its own fund, out of which it has to defray the expense of building and repairing churches, and that attending the celebration of divine service;—where there are no such funds, the obligation falls on certain parties, specified by law; but in case of urgent necessity, the assistance of Government is accorded.

New Churches can only be built by permission of the clerical authorities, and with the approbation of the Crown—but the rebuilding and repairing existing churches falls on the parish and the patron. In general every parish possesses a place of worship for its exclusive use, the exception (called a *simultaneum*), is when two congregations of different confessions are entitled to the use of the same building, (for divine service,) which, however, is very rare.

If the numbers of a particular persuasion, in any district, are increased or diminished, the exigency decides the augmentation or diminution of clerical offices, but the consent of the Government is always required. The two religions enjoy equal legal rights.

Proselytism, either by force or persuasion, is prohibited by law, but only punished in case any domestic discord shall have been caused by it: in other respects, the liberty of change is open to everybody, but on the whole, very few conversions take place. Controversial sermons are forbidden by law, and punished by imprisonment.

The maintenance of the poor is not everywhere the same. In some places each confession manages its own schools and poor funds separately; in others they are administered without distinction of religious confession.

In the provincial school boards and poor commissions, according to the various provinces, spiritual and lay members, of both confessions, are united, and act together.

A comparison of the ratio of Protestant Churches and clergymen, to the number of Protestants, shows that the provision for religious worship is adapted to the actual wants of the population. The good understanding which exists between Catholics and Protestants is proved by the frequency of mixed marriages, the continual occurrence of which gave

rise to the troublesome disputes between the Government and the Archbishop of Cologne, a few years ago.*

HANOVER.

THE Catholics are eligible to all offices and employments, and ecclesiastical affairs are managed nearly in the same manner as in Prussia. All arrangements were determined by a Bull issued in 1824, which was the result of a negotiation between the Papal and Hanoverian Governments. The first passage of this Bull is remarkable, as showing that the Pope was quite aware of the changes which had

* The excellent educational system established in the Prussian dominions, contributes largely to religious peace and harmony. There are a vast number of schools, divided into classes, in one of which the elementary, and in the other the higher branches of learning are taught. In each school the masters are either Catholic or Protestant, but not mixed. The persuasion of the instructors is determined according to the religion professed by the majority in the place where the school is situated—but students of both denominations, are indiscriminately admitted. The religious instruction of the minority is always separate, when they desire it. There are five universities ; two of them are Protestant, one Catholic, and two are mixed ; but the students who are destined for holy orders, are obliged to go through a divinity course of three years, and this regulation applies to both persuasions. The government considers it to be its duty to take care that the spiritual guides and instructors of all its subjects, should be themselves properly instructed, and made fit for the discharge of the most important of all functions.

passed over the world, and not indisposed to submit to their inevitable consequences.

Leo XII., &c.

“ Considering the total change which has taken place, we well see that we must not a little depart from the rigour of the canons of the Church, and make allowance for the condition of places, times, persons, and other peculiar circumstances.”*

The Catholic churches are amply provided and endowed.

The Bishop has 4000 dollars a year, and an allowance for his table, and the dean, canons, and vicars in proportion. A seminary endowed by Government is attached to each bishopric. The Bishops are elected by the chapters, and confirmed by the Pope, the Government having a veto, though not an absolute one; they may object to any unacceptable candidate, so long as they leave the means of coming to an election. The Bishop and chapter alternately elect the other dignitaries of the church, sending in lists, and erasing the names of persons disapproved or suspected.

The King of Hanover has a resident minister at Rome, by whom his ecclesiastical affairs are conducted. While the crowns of England and Hanover were on the same head, the Hanoverian

* Mr. Gally Knight's "Foreign and Domestic View of the Catholic Question," p. 68, published in 1838.

minister discharged certain formal diplomatic functions for the convenience of British subjects; but he had nothing to do with the management of the affairs of the British Catholics.

WURTEMBERG.

THE three communions (Catholic, Lutheran, and Reformed,) enjoy equally all civil and military privileges.

The Bishops and clergy are maintained by the State, according to the laws of the constitution of Wurtemberg.

SWITZERLAND.

THERE is no country in which it is so difficult to describe with accuracy and clearness the state of religious establishment—because it varies so much in the different cantons—as Switzerland. After the religious wars, at the period of the Reformation, all the cantons concluded a treaty of general pacification, by which the relations between the two Confessions were definitively settled. Before the revolution of 1798, the Swiss constitutions were exceedingly intolerant; there was but one ruling religion in each

canton, except in Glarus and Appenzel, which were divided into separate sections. By the arrangement of 1815, many of the Protestant cantons obtained a proportion of Catholic population, and submitted to the obligation of tolerance, both in civil and religious matters. No sects are tolerated by law, except the Roman Catholic, and the Zuinglian and Calvinistic reformers. Certain privileges were, however, given to Jews in the Canton of Argovia, and to the Anabaptists of the Canton of Berne; but the latter of these led to so many conversions to the Anabaptist persuasion, that the privilege was confined to the existing families, and proselytes were excluded.

The seven Catholic Cantons* grant no political rights to Protestants, not even of establishment. Each Canton, with the exception of the Panthetic, has its religion of the State, called "religion dominante." It would, however, be tedious and useless to give the details of the minute regulations in the different Cantons, and the shades of toleration or encouragement that each presents.

In the Panthetic or mixed Cantons, the civil and political rights are the same for the citizens of both Confessions, and the places of the magistracy are divided according to the proportion existing between the Catholic and Reformed population of the same

* Lucerne — Uri—Schwytz — Unterwalden — Zug — Freyberg — Soleure.

Canton.* In these Cantons each Confession has its separate place of worship and interment. In the Cantons of mixed religion the clergy are paid by the State. In the Reformed Cantons, where a Catholic worship exists, the clergy of the latter are paid by donations, partly from other Catholic Cantons, and partly from the Canton itself where the worship is established. Regular salaries are paid to the clergy who lost their stipends, in tithes and estates; which is the case in the Cantons of Basle, Berne, and Geneva,† who received a Catholic clergy introduced by the French. The act of union of the bishopric of Basle with the Canton of Berne, guaranteed the maintenance of the Catholic clergy. In these Cantons the parishes are charged with the maintenance of the glebes and churches, and the government furnishes the salaries.

In the Bernese territory the court of Rome demanded, if possible, an independent provision, in landed property, for the clergy; but the Cantons would only promise to supply money.

	Cath.	Prot.
* Glarus	3,000	24,000
Appenzel	13,000	42,000
St. Gall	77,000	57,000
Grisons	48,000	25,000
Argovia	67,000	75,000
Thurgovia	58,000	17,000
† Basle	5,000	41,000
Berne	40,000	250,000
Geneva	13,000	29,000

A curious example of the trivial circumstances on which a religious establishment may depend, occurred in respect to a district of Switzerland. When the Reformation penetrated there, the government of Neuchatel invited each parish to vote for or against the new worship. All except two voted for the Protestant communion. The inhabitants of the village of Creissier were evenly divided, but a shepherd being absent, and tending his flock on the neighbouring hills, they summoned him to come and give the casting vote. He happened to have a dislike to innovations, so voted for the old form of worship; and the parish continued Catholic in the heart of the Protestant Cantons.*

FRANCE.

THE Charter gives equal liberty and protection, together with equal civil and political rights, to all religious sects. The Protestants in France enjoy a perfect liberty of religious worship, which has never been disturbed, except momentarily, in some of the southern provinces, from local party spirit. The law has always been impartially administered, and affords protection against every sort of violence. Burying-grounds are common to both religions, and the ministers of each worship follow the dead belong-

* D'Israeli's *Cur. of Lit.*, vol. vi., p. 5.

ing to their respective communions. In 1825, the Chamber of Deputies, although supposed at that time to be strongly attached to the Catholic religion, voted an augmentation to the salaries of the Protestant ministers.

In respect to the appointment of the Roman Catholic bishops in France, different regulations have been in force at different periods. Previously to the French Revolution, the *Ministre de la Feuille des Bénéfices* submitted to the king the names of such persons as it was proposed to appoint to bishoprics, abbeys, and other ecclesiastical preferment: these names were transmitted to Rome, and the persons were canonically instituted by the Pope, unless some special ground for objection was adduced by His Holiness. In such cases the Pope substituted the names of the persons, who were not allowed to exercise episcopal functions till the bull of substitution was registered in France. In the mean time the duties of the bishop were performed by vicars-general, named by the chapters, and the sees remained vacant till the courts of Rome and France could come to an understanding.

In 1790, the Constituent Assembly proclaimed entire liberty of religious worship, and framed an ecclesiastical establishment, which created a schism in the French Church. After the 10th of August there was an end of all religion, but those who adhered to the Catholic faith elected their own bishops and priests.

In 1801, Buonaparte restored the Catholic religion, and concluded a Concordat with Pius VII. He appointed a Ministre des Cultes, whose functions were the same as those formerly exercised by the Ministre de la Feuille des Bénéfices, except that the bishops were named *positively*, and their names published without waiting for the sanction of the Pope. The bishop, however, did not enter on the discharge of his functions till he had obtained canonical institution.

The Papal bulls assumed the right to nominate, as well as to institute; but they were only acknowledged as far as they were consistent with the laws.

After the rupture between Napoleon and Pius VII., the Pope refused to acknowledge any of the Imperial bishops, and persisted in that refusal till the Restoration.

In 1817, a new Concordat was negotiated, which placed the appointment of the French bishops nearly on the ancient footing; but no legal authority was ever given to this Concordat by the legislature.

The annual cost of the French Church is 33,000,000 of francs, and the number of the clergy is about 40,000. The *Cultes non Catholiques*, are equally maintained by the State, at a cost of 900,000 francs a year.

The deliberations of the Protestant Synods or Consistories, on matters of doctrine or discipline,

must be affirmed by the minister of public worship. Pastors are elected by the local consistories, subject to the approbation of Government. Other religious persuasions or sects, though acknowledged, are never supported by the State. The number of these sectaries being small, they are left to themselves to manage their religious affairs as they think fit, but are subject to the surveillance of the police.*

BELGIUM.

THERE is no country in which the Catholic religion is more deeply rooted in the minds of the people than in Belgium; but there is none in which a more liberal spirit is evinced towards the foreign Protestants who are settled there. It was not till some years after the union of Holland and Belgium (in 1827) that the King of the Netherlands concluded a Concordat with the Pope for the regulation of Ecclesiastical affairs. It did not, however, long remain in force, and after the revolution of 1830, and the accession of a Protestant King, all connection between the church and state was dissolved, and the Government now meddles in no way whatever with spiritual affairs. The intercourse between the Pope

* France, her Government, &c., p. 38.

and the Belgian Clergy is subject to no limitation or restriction ; and though the Church is perfectly free and independent, its relations with the Government are harmonious and satisfactory ; nor has there ever been any occasion to complain of any unfair or mischievous proceedings on the part of the Papal Government, and the consequence is that a total absence of jealousy exists on both sides. The Belgian Chambers have recently done an act of liberality which is without a parallel in any other country ; they have voted a sum of money to furnish a stipend for English Protestant Clergymen, in those Flemish Towns in which there are considerable numbers of English residents ; considering that the State is benefited by the establishment of these foreigners, they deem it at once an act of justice and liberality to assist them in providing for their religious wants according to their own tenets and belief.

HOLLAND.

ACCORDING to the last census (1840), there were in the Netherlands 1,100,000 Roman Catholics, and 1,700,000 Protestants. In Limburg, Luxemburgh, and North Brabant, the population is nearly all Catholic. In 1827 (during the Union of Holland and Belgium), a Concordat was concluded, by which the Catholic Ecclesiastical affairs of the United

Kingdom were regulated ; but in consequence of difficulties in the execution of it, and the events of 1830, it was put aside ; and when, in 1840, King William the Second, after his accession, proposed to come to a better understanding with the Court of Rome, a strong opposition thereto was manifested by the Protestants. It was contended that the power of the King to make such an arrangement was doubtful : that the Concordat had, by the change of circumstances, become null and void : and that a convention of this nature was not in accordance with the equality of all sects, as established by the fundamental law. The affair made no further progress ; so that at present there exists no sort of arrangement between the Government and the Court of Rome.

The Catholic clergy are paid by the Government ; but many of them, in order (as they say) to maintain their independence, refuse to accept any stipend, and are supported by contributions from their respective congregations or communities, and by the emoluments belonging to the sacerdotal office—the funds that remain in consequence unappropriated, are always employed towards the building of churches.

The Department for the Roman Catholic Religion (to which a minister is appointed) is the medium of communication between the Government and the clergy. The Netherlands having no Concordat, is still considered as a mission in partibus infidelium,

at the head of which, immediately under the Pope, is placed a Vice-Superior.* The interference of the Government is for the most part limited to supplying the funds granted by the budget for the clergy or the churches. It possesses no real or systematic influence with respect to clerical appointments or promotions.

The Catholic clergy are subject to the general regulations of the French code pénal still in force, by which, however, their relations with Rome are, in appearance more than in reality, controlled.

HANSE TOWNS.

IN the year 1818, many Protestant princes, members of the Germanic Confederation, agreed to dispatch an embassy to Rome for the purpose of terminating by a negotiation the state of uncertainty in which the Catholic Church was placed in their respective states.

A project was presented to the Pope securing to the Catholics liberty of conscience, the free exercise of their religion, and provision for their religious wants, by establishing and endowing a sufficient number of Bishoprics, with security to the Bishops

* Brabant and Limburg are under Vicars-general, who have the title of Bishop.

for the discharge of their functions, and their communication with Rome.

The Lutheran is the established religion within the district of the Hanse Towns; but Catholics have an equal enjoyment of all civil and political rights.

SWEDEN.

CATHOLICISM is tolerated in Sweden, but receives no public sanction or support, nor is there any Catholic Bishop in the country. The Catholic parish in Stockholm, the only one throughout Sweden, is served by an ecclesiastic sent there by the Propaganda at Rome. He must be approved by the King who grants him an exequatur for the exercise of his functions.

The fundamental law guarantees a free exercise to all religious worship not disturbing the public tranquillity, or occasioning scandal; and the individuals of a *foreign* communion may enjoy almost all civil rights. No Catholic can hold any civil appointment, or be a deputy to the Diet.

The Catholic Church and priests derive their maintenance partly from abroad and partly from Catholics resident in the kingdom. The Treasury of the State contributes nothing.

DENMARK.

THE Catholics in Denmark are few in numbers, and the principal object of all the Danish laws or ordinances, is to prevent them from disseminating their religion to the prejudice of that of the country.

In the cases of mixed marriage, the parents are obliged to educate their children in the Protestant religion.

It might be tedious, and it certainly is unnecessary, to exhibit in greater detail the ecclesiastical regulations of the different Continental States. It will be seen that one general principle pervades them all, that of providing for the people religious establishments, in conformity with their several creeds and opinions, and commensurate with their spiritual wants. All governments, regal or republican, limited or absolute, seem to be agreed in considering this to be a duty equally imperative, whether considered in relation to the happiness of the people committed to their charge, or to the security and tranquillity of their dominions. Countries and governments, formerly the most exclusive and intolerant, have adopted systems of religious liberty, and general endowment. Bavaria, once the most bigoted of Catholic, and Holland, the most intole-

rant of Protestant States, have alike discarded all religious distinctions. They do not indeed think it necessary (as it would be obviously impossible) to provide for all the religious vagaries which human fancy or caprice engender. But the mass of mankind are divided into two great distinctive sects, one acknowledging, and the other rejecting, the spiritual authority of the Pope: for the clergy of both of these, decent and adequate provision is made; and in regard to the former, we hear of no political theories about foreign princes having no jurisdiction, and States being essentially Protestant; but the matter is dealt with according to its unquestionable and unavoidable facts. Two-fifths of the King of Prussia's subjects, for example, are Roman Catholics; and his Majesty therefore maintains diplomatic relations with the Holy See, and is represented by a permanent minister at the Vatican. It is necessary, in order to consult the spiritual interests of the Prussian Catholics, that the civil authority of the King, and the spiritual authority of the Pope, should be brought into harmonious operation, and by the exercise of plain practical sense, in a sincere and cordial spirit, this beneficial end is completely accomplished. The Pope, the King, and the People, are equally content; and the result is seen in the total absence of those frightful animosities, and religious divisions, which Ireland alone, of all the regions of the earth, exhibits in enormous perfection. It

would not indeed be true to say, that in these countries there is never any interruption of this harmony, and that sectarian zeal or bigotry are quite unknown. Such passions will inevitably exist, all the world over, and to the end of time; but they will be rare, and evanescent. In Ireland they are the perpetual rule—everywhere else, the unfrequent exception. It is admitted that the relations between the See of Rome and the Protestant Powers are generally conducted in a spirit of harmony, and of perfect good faith on the part of the former. Provided the spiritual interests of the people of his communion are properly consulted, the Pope is willing to concur in any measures that sovereigns consider necessary for the convenience or security of their civil authority. The See of Rome will indeed never abandon formally, and *totidem verbis*, any of its ancient (though now obsolete) spiritual rights and pretensions, but it will always connive, and wink at their virtual abrogation, and its scruples are really more a point of honour and of pride, than the effect or the evidence of any latent political object. This is so well understood by both parties, that the necessary fictions are mutually submitted to with a good grace, and both are perfectly satisfied.

Having described the ecclesiastical state of other countries, and the condition of the people, in respect to religious matters, it now remains to describe that of our own—of the singular anomaly

presented by England, Scotland, Ireland, and our Colonial Dependencies, and the practical results of the several religious systems which prevail in different parts of the Empire.

The population of Great Britain and Ireland was calculated, in 1831, to amount to between twenty-four and twenty-five millions, and official returns give the numbers in 1841 at something less than twenty-seven millions. As the relative proportions between different religious sects have remained nearly alike, there will probably be little, if any inaccuracy, in taking the population return of 1831 as a convenient basis of calculation.

To England and Wales may be allotted (in round numbers) 14,000,000: to Scotland rather more than 2,350,000: and to Ireland about 8,000,000.

Dividing these numbers into religious sects, England and Wales contain—

11,000,000 Protestants of the Church of England.

2,500,000 Protestant Dissenters.

500,000 Roman Catholics.

Scotland contains—

1,800,000 Presbyterians (the Established Church).*

360,000 Protestant Dissenters.

140,000 Catholics.

Ireland contains—

6,500,000 Roman Catholics.

850,000 Protestants of Established Church.

650,000 Presbyterians.

Treating therefore the Irish Presbyterians and the

* The Seceders are included in this enumeration.

Scotch Episcopalians as Dissenters, the religious denominations in the United Kingdom may be thus distinguished :—

Church of England	11,850,000
Roman Catholics	7,140,000
Dissenters	3,500,000
Church of Scotland	1,800,000

The members of the Church of England are, therefore, as to the Catholics, in the proportion of about fourteen to eight, and not quite equal to the Church of Scotland, Catholics and Dissenters united.

The ecclesiastical revenues in the three Kingdoms, in amount and distribution, may be set forth as follows :—

England and Wales, 3,500,000*l.*; the whole of which is enjoyed by the Established Church; neither the Dissenters nor the Catholics receiving any assistance from the State.

In Scotland, the income of the National Church does not much exceed 200,000*l.* a year. The Dissenting bodies are all supported on the voluntary system.*

In Ireland, the *net* revenue of the Established Church is about 550,000*l.* a year. [The total amount of gross income, returned to Parliament in 1831, was 865,000*l.*]

* The Church of Scotland, once so rich, was grievously plundered at the Révolution, the greater part of the teinds (tithes) and other Church property having been seized by the nobility and gentry.

The whole of this revenue is allotted to the support of the Protestant Church.

The Presbyterian clergy receive an annual grant, called the *regium donum*, which amounts to about 25,000*l.* a year. But the principal part of their incomes is derived from the voluntary contributions of their congregations, and from customary fees.

The Roman Catholic clergy are entirely dependent upon their flocks for support.

The result of the whole is, that for the spiritual service of 12,000,000 English Episcopalians, there is an ecclesiastical revenue of 3,500,000*l.*

For 1,800,000 Scotch Presbyterians, a revenue of 200,000*l.* For 850,000 Irish Episcopalians, a revenue of 550,000*l.*

For 6,500,000 Irish Catholics, nothing !

For the various Dissenting sects (with the exception of the trifling sum granted to the Irish Presbyterians), nothing !

Of the endowed churches, therefore, the Scotch is by far the poorest ; and the Episcopalian Protestant, in Ireland, considerably the richest.

The Scotch Presbyterians are more than twice as numerous as the Irish Episcopalians ; while the ecclesiastical revenues of the latter are nearly three times as great as those of the former.

The English Episcopalians are to the Irish Episcopalians in the proportion of nearly fourteen to one ; while the Church revenues of the former are

only in the proportion of about six to one, to those of the latter.

The principle upon which the State has distributed the Ecclesiastical revenues in Great Britain and Ireland, is that of bestowing the whole of them in both countries upon the two established Protestant Churches, calling the Churches of England and Ireland one united Church, but leaving to each a separate and distinct appropriation, allotting the whole Ecclesiastical revenue in England to the spiritual uses of the Protestant Episcopalians, who form the great majority of the people of England; the whole Ecclesiastical revenue in Scotland to the Presbyterians, who form the great majority of the people of Scotland, and the whole Ecclesiastical revenue in Ireland to the Protestant Episcopalians, who form a very small minority of the people of Ireland. But in the Colonial dependencies of this country a different system of Ecclesiastical policy has grown up, and generally prevails.

Without now discussing the wisdom or the justice of the system established in the Mother Country, there can be no doubt whatever that one of exclusive religious unity would be inapplicable to dependencies exhibiting so many religious diversities, and such circumstantial varieties of relation with the Sovereign State; and, accordingly, successive Governments (of every political complexion) appear to have agreed in allowing a freer scope of religious action abroad than at home, and have considered themselves unfettered by

any stern and unbending principle forbidding the adoption of such arrangements as were in conformity with the feelings and wants of the different Colonial communities.

“The principle,” says Mr. Gladstone,* “upon which alone our colonies, speaking generally, can be governed, is that of preserving the good will of their inhabitants; the highest function of the State with regard to them seems to be this, to arbitrate among the different elements of which their societies are composed, and gently to endeavour to give a moral predominance to the nobler, over the meaner, of those elements. We must frankly recognise such limits to the moral action of the State, as the actual nature of things seems itself to impose.”

This is excellent practical sense, which, however, (it may be said in passing) is quite as applicable to the component parts of the Parent State itself, as to her distant and separate dependencies; this principle may not, indeed, tend to bring about that religious unity, which it is chimerical ever to expect, but it is the only one calculated to promote civil and religious harmony, and that cordial union of opposite sects, in a common national interest, which is essential to the power and prosperity of the Empire.

The general principle on which religious endowments, or pecuniary grants, are made, is that of supporting or assisting the three *great* denominations—

* Gladstone, *State in its relation with the Church*, vol. ii., p. 313.

the Churches of England, of Scotland, and of Rome; leaving the different dissenting communities to provide for themselves.* There are, however, many colonies in which there is no provision for either of the two latter churches, but not one in which the Church of England is not amply provided for. It enjoys generally a marked, but not an exclusive preference.

The full or partial recognition of any Diocesan authority, other than that of the National Church, is confined to the Ionian Islands, Malta, Gibraltar, Lower Canada, Trinidad, and Mauritius, in all of which we found, on coming into possession of them, an already existing Ecclesiastical organization. Pecuniary aid is given to Roman Catholic Bishops, or Vicars-general, in Newfoundland, Upper Canada, New South Wales, and Van Diemen's Land.†

THE CANADAS.—In Lower Canada we bound ourselves not to meddle with the religious establishments which we found in existence there, and the secular rights of the Roman Catholic Church were a part of the original contract by which we held the province. The Roman Catholic clergy receive the tithes, which, however, are only payable to them by persons of

* The exceptions to this rule are the Cape of Good Hope, Ceylon, Demerara, and Heligoland, where certain allowances are made to the Dutch Church.

† Gladstone, vol. ii., p. 311.

their own communion; and if a Protestant acquires the property, he does not pay the tithe.* They have likewise certain valuable seigniorial rights, their title to which was confirmed by an Act of Parliament in 1840.† The Roman Catholic Bishop of Quebec receives 1000*l.* annually from the funds of this country. In the constitutional Act of 1791 it was provided that one seventh part of all wild lands in those colonies should be reserved for the use of "a Protestant Clergy." For many years after this Act was passed, the reserved lands were of little value, but in time they became of importance, and political questions which were agitated between the mother country and the colonies gave rise to many new claims concerning them. After the proposal and discussion of many schemes for the disposition of this property, and an unanimous declaration by the judges in the House of Lords that the terms, "Protestant Clergy," in-

* This was settled in 1774, by the stat. George III., ch. 88, sec. 5, which provided that the clergy of the Church of Rome, in the province of Quebec, might receive their accustomed dues "with respect to such persons only as should profess the Roman Catholic religion." In 1775 Mr. Carleton, afterwards Lord Dorchester, was appointed Governor. The royal instructions directed "that no incumbent, professing the religion of the Church of Rome . . . should be entitled to receive any tithes of lands occupied by a Protestant, but that such tithes should be reserved "for the support of a Protestant clergy. The stat. 31st George III., ch. 31, sec. 35, recited and confirmed the act of 1774. The payment of tithes in Canada is therefore voluntary, inasmuch as anybody can escape it by calling himself a Protestant.

† Gladstone, vol. ii., p. 318.

cluded the Clergy of the Scotch as well as of the English Church, and possibly others, though they were not aware of any so recognised in the Statute Book—a Bill was framed in 1840 to the following effect:—that all the reserves* should be sold, and the proceeds divided in certain stipulated proportions between the Churches of England and Scotland, and a portion be applied, by the Governor in Council, “for the purposes of public worship, and religious instruction.” The revenues accruing to the Church, or to religion in other forms, in the North American

* The history of these clergy reserves is curious, because it exhibits more distinctly, perhaps, than any other act, the abandonment of the principle of exclusive religious appropriation, and the adoption of that of concurrent endowment; and it is, in fact, a sort of miniature Catholic question. These reserves were originally applied to Protestants only; but, in progress of time, they gave rise to great excitement, and to many discussions in the Colonial Assembly, the objects of which were to secure a division of the land between Christians of all denominations. Lord John Russell (in his speech, in 1840) said that the feeling which existed on this subject was so strong in Canada, that the partial insurrection of 1837 had been attributed by many persons more to the previous excitement on this question, than to any wish to throw off allegiance to the Crown. There were various feelings, but all were united against the exclusive application of the reserves to the Church of England. The Government proposed to bring in a bill to settle the question of reserves, on the principle of a concurrent endowment; but it was strongly opposed by the Archbishop of Canterbury, and the Church party. In the end, a compromise was agreed upon, and a portion of the reserves were to be placed at the disposal of the governor; no mention being made of the mode of distribution, but it was very well understood that it was to be amongst all sects, without exception, and so it has continued ever since, thus establishing the principle of general appropriation.

colonies, constitute no part (with the exception of Upper Canada, and some trifling items elsewhere) of the ordinary public expenditure, but are supplied from British funds.

In Upper Canada there are fifty-six endowed rectories of the Church of England, with glebes annexed to each; there are twenty-five Presbyterian clergymen in connection with the Church of Scotland, with allowances of 75*l.* each; there are twelve ministers of the United Synod of Upper Canada, receiving about 63*l.* each, and there are thirty Roman Catholic ministers, receiving 50*l.* each, and the Roman Catholic Bishop has 100*l.* a year as a pension. The Wesleyan Methodists receive 700*l.* a year. In Lower Canada, the Bishop of Montreal and six or seven rectors are paid by annual vote of Parliament, and from the same source a Roman Catholic Bishop receives 1000*l.* a year; but the clergymen of the Church have no payment from the colony itself. The Roman Catholics are said to contribute very large sums to the maintenance of their Bishop and clergy.

MAURITIUS.—In the Island of Mauritius there is a joint endowment of the English and Roman Catholic Churches, to the amount of about 1100*l.* for the former, and 2500*l.* for the latter.

NEWFOUNDLAND.—In Newfoundland, land has

been granted by Government for the erection of a Romish cathedral, and the Roman Catholic Bishop has 75*l.* from the parliamentary estimate. The Protestant Archdeacon is paid 300*l.* from the same source.

WEST INDIAN COLONIES.—No funds are annually voted *by Parliament* for the support of any religious denomination but the National Church, in the West Indian Colonies; but a sum of money was voted in 1835 for the promotion of “moral and religious education on liberal and comprehensive principles,” in the distribution of which, the Church was placed on a level with all other religious bodies having organs with which the Government could negotiate.*

BRITISH GUIANA.—In British Guiana the three churches of England, Scotland, and Rome, are supported from the public revenues of the colony; and the arrangement has tended to establish harmony, and on the part of the Catholics (whose numbers are small) entire subordination to the established usages. Five Roman Catholic priests are provided for, one of whom is a bishop and administrator apostolic.

JAMAICA.—In Jamaica, in the year 1840, Sir

* Catholics were not included.

Charles Metcalfe, at that time governor, in a speech which he addressed to the Assembly, said—"I have great pleasure in observing, that you have made many grants towards the erection and extension of churches, chapels, and schools, as well for congregations of Dissenting Christians and *the Church of Rome*, as for those of the Churches of England and Scotland. Such grants are honourable to yourselves, and cannot fail to be attended with benefit to the community."

TRINIDAD.—In Trinidad, about 850*l.* is expended on account of the Church of England, and 2500*l.* for the Church of Rome.

ST. LUCIA.—In St. Lucia, there are one English, and three Catholic churches. The rector receives 300*l.* a year; two of the Roman Catholic clergymen 11,000 francs between them (440*l.*)

GRENADA.—In Grenada, the Roman Catholic Church has certain land, and there was formerly an endowment, but in consequence of some schism, it was withdrawn.

ANTIGUA, &c.—In Antigua, Barbadoes, Bermudas, St. Christopher, the Bahamas, and Dominica, there is no provision for any religious denomination except for the Church of England.

GIBRALTAR.—In Gibraltar, the Protestant chaplain, and the resident Roman Catholic minister, are each allowed 300*l.* a year: the total charge (in 1843) was 500*l.* for the Church of England, and 335*l.* for that of Rome.

MALTA.—In Malta, the ancient Roman Catholic establishment remains. The Government allows 50*l.* a year to a Roman Catholic Government chaplain. There are thirty-four parochial churches, and as many endowed priests, and ninety-three parochial chapels besides.

IONIAN ISLANDS.—In the Ionian Islands, the Greek is considered the established church. It has 2,226 churches and chapels, and 868 priests, whose salaries amount to 8,700*l.* There are twelve Latin and three English churches. The public charge of the Islands, for the ecclesiastical establishment, is 2,500*l.*, which is partaken by the Romish and English churches.

NEW ZEALAND.—In New Zealand, a company formed for the settlement of the islands proposed, by a bill in 1838, to make provision for the support of religion indiscriminately, but especially for the appointment of a bishop of the Anglican Church. The disposition to afford this special encouragement to the Church has been founded (in Mr. Gladstone's

opinion) on the simple recognition of its general hold on the affections and the habits of the people of this country, and has not been of the nature of a religious preference or acknowledgment.*

AUSTRALIA.—Great numbers of Catholic convicts were sent for many years to the penal colonies of Australia; and as in Ireland they had been furnished with chaplains in the jails, it was thought proper to make a similar provision for them after their transportation. This population gradually became so mixed with the free portion of the communities, that at length a claim was urged upon the Colonial Department for the endowment of Catholic chaplains in proportion to the population of that profession; it was considered reasonable, allowed by Lord Montague in 1834, and ultimately carried into effect by Lord Aberdeen in 1835. In 1836, a Colonial act was passed “to promote the building of churches and chapels, and provide for the ministers of religion in New South Wales.” It enacted that when a certain sum was raised by private contribution, an addition to it might be made from the Colonial funds. This act draws no distinction between any religious societies. Regulations were published in 1836, setting forth the English, Scotch, and Romish churches as the special objects of these provisions, but adding that applications from any other denomi-

* Gladstone, vol. ii., p. 331.

nations of Christians would be taken into consideration according to the special circumstances of the case. This measure was very popular in New South Wales. A considerable number of clergymen have been settled there of all three persuasions ; and the ministers and elders of the Presbytery, in 1837, expressed to the Secretary of State (Lord Glenelg) " their unmingled feelings of gratitude and joy ; begged that he would transmit their thanks to the throne, and their trust that supremacy, arising from a monopoly of state indulgences and appointments expended on one church, to the prejudice and depression of other churches, will no longer exist under these judicious and impartial regulations."

VAN DIEMEN'S LAND.—In Van Diemen's Land, the regulations are closely analogous in their general tendency to those of New South Wales, and the same principle of indiscriminate recognition and assistance has been established.

EAST INDIES.—In the act passed in 1833, for the renewal of the East India Company's charter, a provision is introduced allowing of the endowment or support of any body of Christians from the funds of the Government, and it appears that in the three Presidencies a system of three-fold endowment has been established, for the churches of England, Scot-

land, and Rome ; the amount very largely preponderates in favour of the English church, but this in no way diminishes the force of the principle. The whole expense incurred is (in round numbers) 86,000*l.*, of which the church of England obtains 77,000*l.*, that of Scotland something less than 7,000*l.*, and the Romish a little more than 2,000*l.* There is also a charge of about 2,000*l.* in Singapore, Prince of Wales's Island, and Malacca, for the church and the Roman Catholics.*

I have endeavoured to exhibit as clearly as I could (without going into tedious details), the systems of establishment and endowment which exist all over the Continent, as well as in the different parts of the British empire. It will be seen that the policy of almost every government but our own is to maintain or assist all those authenticated forms of religious belief which have been consecrated by time, and are acknowledged by considerable portions of their people ; and that in the dependencies of the British crown, the Imperial Government has adopted the

* These colonial details are taken almost entirely (and generally in his own words) from Mr. Gladstone's *Work on Church and State*, corrected by more recent official information. He has drawn them from the most authentic sources ; and, with the perfect integrity which might be expected from him, has not suppressed any of the facts which suggest inferences unfavourable to the principles it was his object to enforce.

same system, greatly to the advantage and contentment of its colonial subjects.

In all matters of legislation or administration touching the colonies, Government may be considered absolute so far as regards its independence of colonial opinion. It is under no necessity to feel its way through conflicting jealousies, or to compromise with sectarian antipathies, but has only to consider what description of ecclesiastical arrangements will be most conducive to the interests and happiness of the various people under its charge. Accordingly, it has adopted a system similar to that of the most enlightened states in Europe, and with the same successful results. In looking round the whole civilised world, it will be found that in every country and in each great division of every empire, the religious creed which is professed by a majority of the people is endowed or supported by the State, and that in many countries other recognised creeds professed by the minority are also maintained at the public charge. To one or other of these principles,—that of the appropriation of the whole of the ecclesiastical revenues to the majority, or that of their partition according to numbers,—there exists in the civilised world but one exception, Ireland; and coupled with this fact (for I am now only stating it as a fact,) is another, viz. that Ireland is the only country in the world in which a condition of social and political disorganisation prevails, growing out of

or closely connected with religious animosities, and full of danger to the most vital interests of the State; and persons of all parties, however dissentient in other respects, appear to agree that this mighty evil "has increased, is increasing, and ought to be diminished."

CHAPTER III.

FROM the period of the Reformation, and especially from that of the Revolution, down to the Union, it was the policy of England not to recognise the legal existence of the Roman Catholic religion in Ireland, and to use means, which varied in severity, as well as in the constancy of their application, for its complete extermination from the country. The Protestant Church was established and organised upon this supposition, and not with any reference to the actual numbers of the Protestants; it was in the nature of a missionary church, planted there for the avowed object of reducing the Roman Catholic population to its allegiance. X

This policy was vigorously carried out by the stern and intolerant despotism of Elizabeth; and, however shocking it may appear to our modern notions of religious liberty, it was by no means *inconsistent* with the prevailing ideas, both political and religious, of that age. The exclusive appropriation of the ecclesiastical revenues to the Church of England, and the severities against non-conformists, were founded on an assumption that the people were incompetent

to choose a creed for themselves, and that they were bound to embrace the doctrines which the State should choose for them; nor was this pretension so unreasonable, or the corresponding policy so unwise, as it may at first sight appear. The mass of the people were in a deplorable state of ignorance. They were, as Henry the Eighth told them, in one of his proclamations, "brutes, and inexpert folk," whom it would have been folly to deem capable of thinking for themselves. Toleration would, in all probability, have begotten scenes of licence and confusion, from which many might have been driven to turn back with terror and disgust into the bosom of the Catholic Church. The Queen, and the sagacious counsellors who surrounded her throne, were convinced that it was indispensable for the security of the Protestant religion, as well as of her royal person, that she should exercise her spiritual supremacy with a firm and unflinching hand.

Lord Bacon has thus described the policy of Queen Elizabeth, as well as the religious ideas by which her conscience was swayed :—"Most certain it is that it was the firm resolution of this Princess not to offer any violence to consciences; but then, on the other side, not to suffer the state of her kingdom to be ruined under the pretence of conscience and religion. Out of this fountain she concluded—first, that to allow freedom and toleration of two religions, by public authority, in a nation fierce and warlike, and

that would easily fall from dissension of minds to siding and blows, would bring inevitable ruin to the kingdom. In this great deluge of danger, there was a necessity imposed on Queen Elizabeth to sustain, by some sharper bands of laws, that part of her subjects which was alienated from her, neither could the kingdom have been safe without it.

. . . Though she found the Romish religion confirmed in her sister's days by Act of Parliament, established by all strong and potent means that could be devised, and to have taken deep root within the kingdom . . . and yet, for that she saw it was not agreeable to the word of God, nor to the primitive purity, nor to her own conscience, she did, with a great deal of courage, and with the assistance of a very few persons, quite expel and abolish it."*

These were the principles of her age, which were acted upon in every part of Europe. The weak submitted and temporised till they became strong; and the moment they had acquired sufficient power, their consciences commanded them to begin the work of persecution. The rule is very clearly laid down by Knox in his History. Calvin and others had recommended their followers to be quiet and submissive, even under persecution. Knox said, that "this referred to Christians so dispersed, that they have

* Bacon's Works, vol. iii. (8vo. edition), p. 471.

no other force but only to sob to God for their deliverance. That such indeed should hazard any further, I could not be of counsel; but my argument has another ground, for I speak of a people assembled together in one body, of a commonwealth, unto whom God has given sufficient force, not only to resist, but to suppress all kind of open idolatry; and such a people, yet again I affirm, are bound to keep their land clean and unpolluted.”*

Accordingly the Established Church in England oppressed every other sect; and in Scotland the Presbyterian Kirk did the same. When the kingdoms came under one head, the stronger of the two oppressed the weaker; and James the First, and Charles the First, attempted to force episcopacy, and the Anglican forms, on the reluctant and indignant Scotch.

Not long afterwards the Scotch, in a spirit no less arbitrary and fanatical, pretended to impose their Covenant on the people of England—and after the Restoration, the High Church Government of Charles the Second tried once more to put the prelatical yoke on the necks of the Scotch. Thus all sects agreed in demanding toleration for themselves and in refusing it to others, till, first the Revolution, and then the Union, provided for the final and peaceful establishment of the two Churches of England and Scotland, and left them at liberty to unite their

* Knox, Hist., b. iv., p. 358.

energies in oppressing the Roman Catholics. The old system of persecution flourished in Ireland for about seventy years, in the course of which the penal code was gradually completed. Soon after the accession of George the Third, the tide began to turn—during the whole of this period, the ruling powers not only contemplated the possibility of bringing the Catholics within the pale of the Established Church,* but made from time to time divers, though ineffectual, attempts to accomplish this object—and their detestable laws and oppressive administration were perfectly consistent with such design and expectation.

At length a great change took place—the penal code was reformed—the “milk white hind” was no more

“Chased with horns and hounds
And Scythian shafts, and many winged wounds
Aimed at her heart ;”

and the attempt (persevered in for two centuries) to force or frighten the Catholics from their faith, was entirely and for ever abandoned. The days of terror and persecution came to an end; but there still remained a domineering and galling ascendancy on one side—privation, and a sense of degradation, on the other.

The humanity of the age could no longer endure the sight of so much suffering as the penal code inflicted; and the most monstrous of its enactments were accordingly repealed; but from that moment

* *Vide* Mant's Hist. of Irish Church, vol. ii. *passim*.

the policy of the State ceased to be consistent with its legislation.

As soon as the existence of the Roman Catholic religion was admitted, and its exercise no longer regarded as a crime, justice and sound policy alike required "That it should be upheld in high respect and veneration, and in its place be provided with all the means of making it a blessing to the people who profess it."* But such a stretch of liberality as this, was not thought of in those days: the Catholics were too humble and impotent to demand, and the Protestants far too proud and bigoted to grant it; a middle course was adopted, of which Lord Clare was the able and powerful advocate;—religious persecution was discontinued, but political emancipation (which he thought identical with democracy and anarchy) was refused. This policy, which was based upon the supposed paramount necessity of maintaining the Protestant Church, and the conviction that it could only be safe as long as the Catholics were excluded from a free participation of civil rights, was not indefensible according to the prevailing opinions, as well as the political condition of the country. But it is well worth while to look at the recorded sentiments of that remarkable person. "With respect to the old code of Popery laws," he said, "there cannot be a doubt it ought to

* Burke's Letter to Wm. Smith, Esq.

have been repealed.* It was impossible that any country could continue to exist under a code by which the majority of its inhabitants was cut off from the rights of property." And he thus states the grounds on which he firmly opposed any measure of relief. "Religion is the great bond of society, and therefore in every civilised country there must be a religion connected with the State. . . . I deny the right of any man who dissents from the religion connected with the State to demand admission into the State upon which the established religion can only rest for support. Should the Parliament of Ireland admit the Papists to political power, where are we to draw the line? *If they have a right to vote for representatives, they have a right to everything else.*"

In his speech on the Union he says: "My unaltered opinion is, that so long as human nature and the Popish religion continue to be what I know they are, a conscientious Popish ecclesiastic never will become a well attached subject to a Protestant State; and the Popish clergy must always have a commanding influence on every member of that communion." In his speech on the Relief Bill,† in 1793; "Whether the Prince on the throne was a Plantagenet or a Tudor, a Brunswick or a Stuart, they (the priests) never were, and never will be,

* Speech on the Union, p. 61.

† Speech on Relief Bill, 1793, p. 21.

cordially attached to his Government, *unless the Popish religion be connected with it.*"

Lord Clare was for governing Ireland upon a permanent system of political exclusion, and by means of a Protestant ascendancy. But it is evident that he would have regarded it as inconsistent to admit the Catholics to an equality of political privileges, and refuse them a religious establishment; without which, he affirms that the clergy exercising great influence over the people, would never be well affected to the State.

The policy, then, of the sixteenth, seventeenth, and eighteenth centuries, however harsh, was founded on certain convictions, and had in view certain objects, which at least gave it a character of consistency.* If suffering was inflicted, the oppressors thought that duty or interest justified their severities, and that they had nothing to fear from the resentment

* In the middle of the eighteenth century it seems that conversion (from the Roman Catholic to the Protestant religion) covered every imaginable sin—an amusing example of this is furnished by the minutes of the Linen Board.

"Nov. 20th, 1732.

"Dean Perceval's complaint being read, setting forth that Garret Fagan, one of the porters of the Linen Hall, was a *vile, drunken, swearing, blaspheming* fellow, and thereupon applying to have him removed from being porter: Resolved, that the said Garret Fagan be discharged."

"Sept. 28th, 1733.

"Petition of Garret Fagan, *with a letter from Dean Perceval*, informing the board that *he is become a Protestant*, and therefore desires that he may be restored: Resolved, that the said G. F. be restored to his former employment."

or resistance of the sufferers. But we have abandoned the principles and opinions of our ancestors—we no longer deny, with Lord Clare, the right of any man who dissents from the religion connected with the State, to demand admission into the State. On the contrary, we have admitted the Catholic into the State; but, with an inconsistency which appears the more glaring the more it is examined, we continue to maintain a religious establishment not less hateful to him than the civil disabilities he has shaken off; and for the sake of so doing, we are content to bear the incalculable evils and dangers of his resentment and his disaffection.

But as many persons imagine, because they hear a great deal more of the Repeal of the Union than of the Church question, that the evils of the latter are exaggerated, or that the Irish people are, comparatively, insensible to them, it will be well to look at their sentiments upon the Church question, as recorded in a document of remarkable vigour and precision, which was drawn up by Mr. O'Connell himself in 1840, and published as a "Report of the National Association of Ireland, upon the chief grievance of Ireland,—that which relates to the Ecclesiastical Revenues."

"Your Committee beg leave to report, that they are unanimously of opinion, that the most afflicting, beyond comparison, of all the grievances which the people of Ireland sustain, is to be found in the

misappropriation of the ecclesiastical revenues of Ireland. The great denominations of Christians—the Catholics—the Episcopalian Protestants—and the Presbyterians, constitute the overwhelming majority of Christian persuasions in the British empire.

“In England, the majority of the people belong to Episcopalian Protestantism.

“In Scotland, the majority of the inhabitants are Presbyterians; and, in Ireland, the majority of the inhabitants, in much greater proportion, are Catholics. * * * * * * *

“With respect to Ireland, an enumeration has taken place, and the relative numbers have been ascertained. The Episcopalian Protestants are found to be, in round numbers, 850,000; the Presbyterians 650,000; and the Catholics 6,500,000. Such were the relative proportions in 1831.

“Under these circumstances, the natural result would be, that the Ecclesiastical State Revenues should be appropriated in each country, to the church of the majority of the inhabitants; and in England, accordingly, these revenues are appropriated to the Protestant Episcopalian Church—the church of the majority.

“In Scotland, also, the Ecclesiastical State Revenues are, and ought naturally to be, applied to the sustentation of the Presbyterian Church, being that of the majority of the Scottish people.

“Upon the same principle, it is perfectly clear

that the Ecclesiastical State Revenues of Ireland ought to be applied to the church of the majority of the Irish People.

“But in the government of Ireland, everything is anomalous. The people of England would not endure that the Ecclesiastical State Revenues should be applied to the church of the minority. The people of Scotland would not endure that the Ecclesiastical State Revenues should be applied to the church of the minority. But the people of Ireland are compelled to endure that the Ecclesiastical State Revenues of Ireland should be appropriated to the church of a very small minority of the Irish people.

“This simple statement demonstrates at once the gross injustice done to the people of Ireland—it demonstrates that that equality, which alone would constitute a real union between the countries, does not exist—it shows that the Episcopalians in England, and the Presbyterians in Scotland, assume and enjoy a practical superiority over the Catholics in Ireland.

“Your Committee emphatically assert that this is the master-grievance—the most insulting injustice, which Ireland sustains under the (so called) Union.

“The people of Ireland demand the redress of this grievance in the first instance and before any other. It is a grievance in which they will no longer acquiesce in silence; it is a declaration of

the inferiority of the Irish people, to which they will no longer submit without remonstrance; it is a gross and odious insult, superinduced upon a glaring and palpable injustice; it is, in short, a giant evil, not to be longer tolerated without taking all legal and peaceable and constitutional means to procure legislative redress.

. There are two points on which your Committee desire emphatically to be understood, they are these,—

“First.—They do *not* claim that the ecclesiastical state revenues of Ireland should be applied to support the church of the majority of the Irish people; although, on principle, they *might* be entitled to make such claim, they totally repudiate it; they totally disclaim any such appropriation. No Protestant could more distinctly denounce that appropriation than the people of Ireland *should* and *would* do. It is an appropriation which would essentially injure, corrupt, and corrode the religion to which it should be so applied.

“Secondly.—Your Committee claim that the ecclesiastical state revenues should (as the existing vested interests dropped off) be applied for the general benefit of the community; that is, for the support of the poor, for the promotion of education, and in works of charity, equally and without distinction to all sects and persuasions.

“There is one topic more, to illustrate the grievous

injustice done to the Catholic people of Ireland by the appropriation of the ecclesiastical revenues to the small minority which constitute the Protestant Church in Ireland; it is this:—The Presbyterian Established Church in Scotland, being the church of the majority of the Scottish people, is in possession of the ecclesiastical state revenues in Scotland, although those revenues were founded by their Catholic ancestors for purposes of exclusively Catholic piety and religion; purposes, many of them directly opposite to, and contradictory of, the tenets and practices of Presbyterians.

“The Episcopal Protestant Church in England, being the church of the majority of the English people, is in possession of the ecclesiastical state revenues in England, although those revenues were founded by their Catholic ancestors for purposes of exclusively Catholic piety and religion; purposes directly opposite to, and contradictory of, the tenets and practices of Episcopalian Protestantism.

“Thus, in Scotland and in England, the church of the majority possesses ecclesiastical revenues granted, *not* by Presbyterians, or Protestants of any description, but by Catholics.

“Whereas in Ireland, the church of the majority is that of the persons who founded the ecclesiastical state revenues. It is the only church able and willing to perform and carry out all the intentions of the donors and founders of these revenues: yet

these revenues are taken from the church of the majority of the Irish people, and bestowed by law upon the antagonist church of a small minority of that people.

“It does therefore appear manifest that every circumstance attending the ecclesiastical state revenues increases the nature and extent of the grievance on the score of church temporalities inflicted on the Catholic people of Ireland. * * * *

“We close by reminding the Association emphatically—

“That Scotland does not support the church of the minority in Scotland, and that the Scottish people would not endure such an appropriation of her ecclesiastical revenues :

“That England does not support the church of the minority in England, and that the English people would not endure such an appropriation of her ecclesiastical revenues :

“But that Ireland, on the contrary, suffers *this Giant, this Monster Evil*; and the first duty of Irishmen must be to obtain, by constitutional and legal means, its total abolition.”

This manifesto well deserves the consideration of the people of this country. The church case is stated as forcibly as possible, but without exaggeration. Nor is there an Englishman or a Scotchman who can refuse to admit the truth of the assertion, that neither the English nor the Scotch people

would *endure* any such appropriation of the ecclesiastical revenues of their respective countries.

Against this case the advocates of the present system have long been, and still are endeavouring to show cause: to supply what they deem valid reasons why the Irish people should be compelled to endure this, to them, most offensive grievance; and why the English and the Scotch should persist in refusing to let the Irish become partakers of religious advantages similar to those which they themselves enjoy, which they so dearly prize, and which, if necessary, they would so resolutely maintain.

But before adverting to the arguments by which this Catholic question is encountered, it will be better to illustrate the preceding Report by showing to what humiliating circumstances and grating privations, the Catholic masses are, or till very lately were, obliged to submit in the performance of their religious duties.

In the Appendix to the first Report of the Commissioners of Public Instruction, is a return by the Irish Catholic bishops, of the number of Roman Catholic clergymen in each diocese, and the chapels in which they officiate. From this Report, and from the evidence of various witnesses examined before Parliamentary Committees, the state of the Catholic chapels in Ireland, and the manner in which the Catholic people are often reduced to attend divine worship, may be seen.

“In many places the chapels are in ruins. At Inver, and two other places in Raphoe, service is performed in temporary sheds—at Ballycotton in a *store*. In one part of Galway there is only one chapel in a district extending twenty-five miles—the chapel at Barna is a thatched cabin—in Ballinderry, Clogherry, and Desartereight, altars are erected in the open air.” *

Dr. Kelly, Roman Catholic archbishop of Tuam, is asked to describe “the character and degree of accommodation afforded to the Catholic population for the celebration of religious worship.”

He says that “in his diocese there are about 106 places of Catholic worship, of which from 15 to 20 are slated chapels, all the others thatched—some of them wretched, none sufficiently spacious to contain the congregation, *and in many instances the public prayers are celebrated in the open air, having no covering but the canopy of heaven.*”

Some of these edifices are not above 8 or 10 feet high, 12 or 15 broad, and 40 or 50 long. The people often come from a distance of four, five, or six miles, and when there is no accommodation, they remain outside under the inclemency of the weather for the purpose of offering up their prayers.

They have no funds for the erection and repairs of places of worship but voluntary contributions; and the archbishop states “that he never met with a

* Evidence quoted in Lewis's Church Question, pp. 411-12.

refusal from any Protestant gentleman to whom he applied for assistance towards building a chapel."

He is asked whether, apart from all considerations of advantage and comfort, it would not be particularly acceptable to the people to be supplied with suitable places of worship?

"I know of no act," he replies, "that would give the Catholic population of Ireland so much satisfaction as to see some arrangement for the erection of houses of worship for them."

Mr. Dominick Browne* says that "he has often seen a place where on Easter Sunday, Christmas-day, or other festivals, there were from ten to fifteen times as many people *kneeling outside the chapel* on the road as the chapel could contain, and that *in the midst of cold and rain.*"

Col. Curry (the Duke of Devonshire's agent) bears testimony to the miserable state of chapels in the south, many of which look like so many cabins joined together.

General Bourke, a magistrate in Limerick, says "that the Roman Catholics would receive a provision for the repair and maintenance of their chapels with great gratitude; and that it would be felt as a great kindness. That the payments which the Roman Catholics are obliged to make to their own clergy, are considered as a heavy charge on them; and

* Lord Oranmore.

that, in his opinion, the payment by the State of the Catholic clergy, would add to the stability of the Protestant Church, by removing the existing complaint of their having two establishments to maintain."

The Earl of Kingston says, that the chapels are much too small, and there is not room for a third of the congregations. "*Anybody travelling on a Sunday will see them kneeling all about the chapel yards, and in the streets.* I certainly think," he adds, "that as long as the Roman Catholic religion exists in Ireland, or indeed any other religion, it ought to have places of public worship."

The Rev. Michael Collins—"Had an old chapel in the town of Skibbereen, in such a state, that he was in constant fear of an accident while the people were assembled in it . . . so small that half the congregation *were obliged to kneel in the yard, or on the highway, and could not hear the priest*; and many stayed away—the old, the infirm, and the delicate—rather than be in the open air. *Many may be seen, in severe weather, and under pelting storms, with their hats off, kneeling in the mud.*"

Dr. Doyle says, "That one of the greatest obstacles to the instruction of the people, is the want of sufficient room in the chapels, an evil which it is not in their power to remedy; the pressure on the peasantry being so great, that they have not the means of building or enlarging chapels, without making the

most oppressive sacrifices.”* He says, “that they have not enlarged or built any chapel, in his diocese, since his appointment, in which they have not been materially assisted by Protestant gentlemen; and that this is the only matter in which he can scarcely distinguish between those who are adverse, and those who are friendly, to their claims. All seem to think it a duty to contribute to provide for the people a place of worship.”

Let any Protestant contemplate these facts with a candid and unprejudiced mind, and say what his feelings would be if he were to see his own church in this degraded and beggarly condition. Her ministers steeped in poverty—her places of worship wretched, dilapidated, cabins—and himself reduced to the necessity of saying his prayers in the open air, with the wind whistling around him, and the rain pattering on his head; would he not feel humbled, mortified, and indignant? But this is not all—if, while thus kneeling in the miry road, he had full in sight the steeple of the parish church, where he knows that his ancestors once worshipped, but which is now appropriated to the use of a handful of Protestants, insufficient to occupy a tenth part, perhaps, of the edifice; would not the sense of degrada-

* The most consolatory fact which appears in this evidence is, that of the humanity and liberality evinced, without any exception, by the Protestant proprietors, in respect to providing Catholic places of worship; though such assistance must, of necessity, be casual and insufficient.

tion and injury kindle a burning resentment, and a resolution not to rest till he had obtained redress for a wrong so repugnant to justice and common sense. Can there be any doubt that these would be the feelings of every Protestant on either side the Tweed? How, therefore, can we expect to find any other sentiments in the hearts of the Irish Catholics, who are not less attached to their religion than we are to ours? and, if this be so, as most assuredly it is, in what way do we expect to satisfy the Irish people, and reconcile them to the continuance of this state of things? We are doing our best to improve their moral and physical condition, to raise them from their poverty and destitution, and to spread far and wide among them the benefits of education; and yet we seem unconscious that in proportion as these efforts are successful, they will become more sensible of the enormity of the ecclesiastical system we uphold, while their power, as well as their inclination, to overthrow it, will be continually increased.*

* Since this was written, I have been informed, on good authority, that the grievance and hardship, of which examples have been quoted, is now almost entirely remedied. The zeal and the increased wealth of the Catholics have been employed not only in building and repairing chapels generally, but in constructing some very magnificent churches in some of the towns; and, as before stated, the Protestants have always been disposed to contribute very liberally for these purposes. Whether the edifices are sufficient for the accommodation of all the worshippers, may be very doubtful; and, at best, the chapels are often very humble buildings. This is, however, certainly not now one of the practical grievances of the country, and the only reason

To maintain, permanently, such a system, is a task as full of danger as of difficulty. But it is proper to examine the reasons which have been put forward for persisting in the attempt. Passing over all the polemical eloquence of Exeter Hall, the charges of idolatry, Papal pretensions, and obsolete theology—the Bull *unam sanctam*, and the Bull *unigenitus**—let us look at such arguments as the most distinguished statesmen have offered in defence of the policy they maintain.

There was a time when any scheme of a provision for the Catholic Church was supposed to require a negotiation with the See of Rome, and the idea of the King of England negotiating with any foreign Ecclesiastical power, about the affairs of his own subjects, was considered revolting to the feelings of Englishmen, and it was maintained that such negotiations would be incompatible with the dignity and independence of the British crown. Anything in

why I do not expunge the evidence and the statement is, that however things may be now, a very few years ago they were in the state here represented ; the recollection of them has certainly never faded away from the minds of the people, and they know that it is not to the Government they are obliged for the improvement that has taken place.

* The Bishop of Exeter, in his celebrated letter to Mr Canning, in 1827, laid great stress on these bulls—of that of Boniface VIII. (*unam sanctam*) he says, “This audacious claim of papal power is admitted as a genuine and valid decree at Maynooth ;” and that the bull *unigenitus* (1712), “so pregnant with mischief, is received and acknowledged without limitation.”—P. 115—119.

the shape of a Concordat would have been at that time considered as a virtual recognition of *the fact* of the Pope's possessing some authority in this country, an acknowledgment which no minister would then have ventured to make in terms, although the existence of such authority has since in many important instances been practically but indirectly admitted.

But in the debates on Lord John Russell's motion, in February 1844, the objections were generally put upon different grounds. Most of the speakers on one side treated an endowment of the Catholic, as necessarily involving the *total destruction* of the Protestant Church ; and so mixed up in convenient confusion the arguments against both propositions, gratuitously and inaccurately assuming that they were identical or inseparable.

Sir James Graham, indeed, declared that he was not averse to the principle of Catholic endowment, and would have voted for it in 1825, if he had been in Parliament : but that the time for it was now gone by. He thought the Presbyterians, and Protestant Dissenters, would never consent to taxation for payment of the Catholic Church ; that any partition of the Ecclesiastical revenues was impossible ; and that the preference which the State gives to the Protestant Church establishment was inconsistent with such a proposition.

Lord Stanley considered that the question for the

empire to decide was, whether the Protestant Church should, or should not, be destroyed; that the provision of the Act of Union, to which the greatest importance was attached, was that by which the Protestant Church was to continue to be the Church of the United Kingdom; and that the Roman Catholic Clergy had, at various periods between 1757 and 1826, recognised the right of the Protestant clergy to the property and temporalities of the Church.

The argument of Sir Robert Peel, as it was the most important, so it was also the most elaborate. The greater part of it was directed against a *total* destruction of the Irish Church, the security and integrity of which rested upon *compacts*, made first by the Act of Union, and secondly by the Emancipation Bill; and, as far as national compacts could have force, a compact existed for maintaining the Irish Church.* The Catholic Church, he added, refused to submit to any regulations or control on the part of the State. What right, therefore, had such a Church to claim for itself the transfer of those privileges, which now belonged to a Church which did submit to control?

He quoted a host of authorities for maintaining the Church; and contended that, as far as compact and authority went, they had the greatest possible weight in its favour. He was not, however, prepared

* Sir Robert did not say what was the nature of the second compact, nor who were the contracting parties to it.

to say that compact and authority were conclusive ; and that *if the social welfare of Ireland required the alteration of the law*, the compact must be maintained in spite of conviction : he took no such narrow ground, but believed that it was not for the interest of Ireland, *or of any part of Ireland*, that the Protestant Church should be destroyed, for which he would assign his reasons ; these reasons it is proper to give in his own words. “ I am not now to determine what is the best condition in respect to a new state of society, in which more than seven millions profess a religion different from the Protestant Church, and not more than two millions profess its faith. I am not considering what is the best constitution for that society ; I am to deal with a country in which these compacts and guarantees exist, and with respect to which there is a prescription of 250 years ; where the landed proprietors, the great mass of them being Protestants, are identified in feeling with the Established Church. *I am now to consider what, under all the circumstances of this case, is the best arrangement to make.*” He then contended for the necessity of an establishment : “That with the example of establishments in England, and Scotland, and with my conviction of what is necessary for religion, an establishment of some kind is necessary in Ireland.” . . . “ I think if you had no establishment in Ireland, you would have bitterer religious animosities . . .” “ Is it for

the public interest to have an establishment?—One of my reasons for maintaining an establishment in Ireland is, because I think it important for Ireland. . . . I look at the question first as it affects Ireland, and next (of this I am certain), if you establish the precedent of no establishment in Ireland, little time will elapse before it is referred to as a precedent for England.” . . . “Therefore my opinion is in favour of an establishment, and of continuing the Protestant Church as that establishment.” After stating the objections to any division of endowment between three sects, and of transferring the revenues to the Roman Catholics, and against the course “not at once of destroying, but of undermining the Church;” he says, “therefore I come to the conclusion, founding myself upon compact, authority, and the conviction of my own mind, that the best course . . . is to maintain, in its integrity, the Protestant Church.” He does not mean to exclude all such reforms as may increase the efficiency of its establishment for the purposes of the Church, nor is he compelled to exclude altogether from consideration the position of the Roman Catholic Church, or to refuse the consideration of any regulations which may improve its condition. “Endowment from the State,” said Sir Robert, “you absolutely reject; we have been assured that the voluntary endowment by individuals, might be provided for without any violation of

conscience, and would be considered as a great boon."

They must be very sanguine who suppose that the Catholics will be reconciled, by such reasons as these, to the existing ecclesiastical arrangement: it is in vain that we look for any assertion, much less for any proof, that it is for the benefit of the Roman Catholics themselves that their Church should be unendowed, and their clergy dependant for a precarious and scanty support upon the voluntary contributions of the people.

Sir Robert Peel indeed said, that it was not for the interest of Ireland, or *of any part of Ireland*, that the Protestant Church should be destroyed; and that he would assign his *reasons* for that opinion—but these reasons seem little more than a restatement of his opinion (together with some additional facts) in a different form of words. The existence of guarantees and compacts for the integrity of the Church; its having a prescription of 250 years; and its being the creed of most of the landed proprietors, may or may not afford valid grounds for maintaining it: but they prove nothing as to its usefulness to the whole body of the people. The truth is, that it is demonstrable that it would be for the interest of a part, and of a very large part of Ireland, that the revenues of the Protestant Church should be otherwise distributed, for, as by far the largest part derive, at present, no benefit whatever

from them, if these revenues were applied to any general objects, whether of ecclesiastical endowment, or merely those of education and of charity, the great mass of the population must infallibly reap essential advantages from such an appropriation. The argument adduced in support of the Irish Church establishment, from the examples of establishments in England and Scotland, can hardly be sustained, because the most essential element of the analogy between them is wanting,—in England that religion is established which is professed by the majority of the English; in Scotland that which is professed by the majority of the Scotch;—it is difficult, therefore, to see how from these examples an argument can be drawn for establishing or maintaining in Ireland a religion professed by a minority, and detested by the majority of the Irish people.

But of all arguments, that which maintains the inviolability of the present establishment, on the ground of compact, is that on which it is most imprudent to rely; for if this compact really be so binding on the united legislature, it affords the most powerful of all possible motives to the Catholics to require and struggle for a repeal of the Union: and when it is asserted that we are bound by the Irish Act of Union to maintain the Protestant establishment in Ireland, in the same manner as we are bound by the Scotch Act of Union to maintain the Presbyterian Church in Scotland, a comparison is

inevitably provoked between the circumstances of the two transactions, involving the question of who were the contracting parties in the one compact, and who were the contracting parties in the other ?

The Union of Scotland was a fair compact between two independent nations ; the Parliaments on either side really representing the feelings, as they zealously provided for the interests, of their respective constituents. The Scotch were deeply attached to their religion ; and before they consented to the Union, they insisted on the most solemn guarantees for its security and preservation,—these guarantees they obtained—and as their attachment to their Church continues unabated, it would be a flagrant breach of faith if, for any purpose of her own, the stronger party to the compact should attempt any infringement of its conditions.

But the Irish Union was a transaction of a very different character ; the Irish Parliament notoriously represented only a small minority of the Irish nation ; and the establishment which they stipulated or consented to perpetuate, was not that of the religion which the majority professed, but the religion of that small minority itself, which was held in abhorrence by three-fourths of the people.

The contracting parties to the Irish Union were, England on one side, on the other a Protestant minority, in the dependance and under the influence of England ; and it is a mockery to talk of such a

compact being irrevocably binding upon the present and all future generations, no matter what may be its fruits, or what may be the wishes and the interests of Ireland in regard to it. But even supposing it to have all the force that can possibly be claimed for it, to what extent does it bind the public faith to the exclusive maintenance of the Protestant Church in Ireland?

There is nothing in the Act of Union which, by expression or implication, presents any obstacle to the public maintenance of the Irish Catholic Church; on the contrary, it is well known that the authors of that measure both desired and intended to accompany the Union with such a provision, and that expectations of some such measure were held out to the Catholics, by persons of influence and authority in the Government at that time, for the express purpose of obtaining their concurrence and support. The objection therefore can only apply to such an interference with the established Protestant Church, as would amount to a violation of the letter or spirit of the Act.

In the first place it may be observed that changes, even to this extent, would not necessarily amount to a breach of faith on the part of England. Compacts such as those embodied in the Scotch or Irish Acts of Union, between independent or quasi-independent communities, ought to be construed strictly in favour of the weaker party, which loses its national ex-

istence. Now in this case it is England, in connection with a small Irish minority, which insists on maintaining an established Protestant Church in Ireland. The maintenance of this Church is certainly not an Irish object, for nobody doubts that, if Ireland became independent, the first act of her domestic legislature would be to sweep it away entirely. In touching that Church, therefore, the imperial Government would violate no stipulation made for the benefit of Ireland; on the contrary, the imperial legislature, in which the power and interest of England predominate, appeals to the Act of Union as necessitating the perpetual maintenance of an institution, against which Ireland herself protests; to which she may with truth declare she was no party, and which is now retained for the supposed advantage of England, associated with a small fraction of Ireland. But no such extensive changes are, in fact, contemplated. Moderate and practical statesmen propose nothing more than an extension of the principle of reform, which has been already sanctioned by Lord Stanley's Act; that principle was, that the establishment should be apportioned to the spiritual wants of those who belonged to it, and the pay of the clergy to the actual amount of services needed and performed. If the principle on which the Irish bishoprics were reduced, was to be extended to other parts of the establishment, and worked out in such details as the circumstances of

the case require, the odium and the scandal which now lie heavy on the Church, might be removed without impairing its efficiency, or giving the Protestants any cause to complain of being deprived of those spiritual consolations and aids which they have been accustomed to enjoy. That such a reasonable and moderate reform as this would excite strenuous opposition, is extremely probable—there would be the clamour of pride and prejudice, of political and sectarian rancour, while, perhaps, none would cry out more loudly than the actual possessors of large portions of that Church property, whose habit it is to inveigh, with much virtuous indignation, against any proposal for alienating it to secular uses.

The Protestant Church (however paradoxical it may appear) in great measure owes the preservation of its endowments to the existence and supposed hostility of the rival communion. If the Catholics could by any means have been swept out of the country, the Protestants themselves would have quickly discovered that the Church was richer than she need be, and that some of her wealth might be advantageously employed for their secular benefit. One of the objects which is commonly, but erroneously, attributed to the Catholics of Ireland, is that of restoring their Church to its ancient splendour. The Catholics have repeatedly disclaimed any such desire. The Catholic laity have long

been bound to their clergy by a community of interest and suffering ; but the natural disposition of every people in an advanced state of civilisation, is to be jealous both of the wealth and the power of the clergy ; while both the clergy and the laity have concurred in resisting the exorbitance of papal encroachments and pretensions. It was the ancient and almost uninterrupted opposition of interests between the laity and clergy in England, and between the clergy and the Court of Rome, which prepared the nation for the Reformation ; therefore no fear can be more chimerical than that of the Catholic Church becoming immoderately rich, or the power of the Pope dangerously strong ; on the contrary, we have much more to dread from the poverty of the priesthood, and their independence of the see of Rome.* But the Catholics, it is said, have no right to claim any public endowment, because they will submit to no control on the part of the Government which bestows it. They have, in the first place, acknowledged that the State has a right to require ample security for the loyalty and good conduct of all who eat of its bread ; and more than that, it would be unnecessary, as well as imprudent, for the State to demand. We had better supply the Catholic Church with such a sufficient maintenance as shall elevate the character of its clergy, and emancipate them from dependence on popular favour

* Hume, vol. iv., p. 140.

or caprice, but leave their internal ecclesiastical arrangements to themselves: innumerable jealousies and difficulties would grow out of any interference of ours; and if we set about the accomplishment of a great measure of peace and improvement it would be the height of folly not to do it in the manner most likely to produce a satisfactory and effectual result. With what consistency could a Protestant Government insist upon any right of patronage, or mix itself up in any way with purely ecclesiastical Catholic concerns? We do not allow the Catholics to meddle with our Church. We exclude them from certain offices, merely because ecclesiastical patronage is attached to them—and no Catholic patron can present to any living, although the presentee must, of necessity, be a member of the Established Church, and be approved by the bishop of the diocese.*

This objection seems to be singularly irrelevant to the actual state of the case. We are not now to determine whether the Catholic religion shall be established or not in Ireland, and whether its bishops and its priests shall or shall not be paid. The Catholic religion has already a complete and public *de facto*, though not *de jure*, establishment; and the Catholic clergy are paid and maintained with as much regularity and certainty as our own. Whether the independence of the Catholic Church, and the absence of all control over it on the part of the

* A Catholic may sell the next presentation to a living.

Government be desirable or not, may admit of a question ; but it is difficult to see how the mischief, if any there be, could be aggravated by the substitution of a provision from the State, for the voluntary contributions of the people ; and surely it is taking a very narrow view, to refuse the Catholics any support from the public funds, on the ground of their unwillingness to admit the interference and control of the Government in Ecclesiastical matters. The real question is this :—Do we sincerely and conscientiously believe that the voluntary system is the best that can be devised for the seven millions of Catholics who exist in Ireland—that it is conducive to their moral improvement, and their temporal welfare—that in its practical operation with respect to both clergy and laity it is the system most instrumental in promoting virtue and piety, and in rendering them useful citizens to the State ? Now, this question seems to place us upon the horns of a dilemma, for if we answer it in the affirmative, we must explain why a religious establishment (of which we extol the advantages, as exemplified in England and in Scotland) should be mischievous or useless in Ireland, and why the voluntary system, which in all other great religious communities we hold to be pernicious, should be suitable and beneficial to the Irish alone ; all this we must demonstrate, or else admit that the voluntary system of Catholic Ireland is maintained in spite of many disadvantages and injurious effects upon the

interests and happiness of the people, because it is the will and pleasure of England, and the Irish Protestants, that no alteration should be made.

But we may look in vain through the whole nine nights' debate in February 1844, amidst all the arguments, either against the reform of the Protestant, or against the endowment of the Catholic Church, for the expression of a solitary opinion that the present system is good for the Catholics themselves. It was defended, not because it worked well, but because it had lasted 250 years; not because it was congenial to the feelings of the people, but because it was the religion of the owners of the soil. It would be superfluous to dilate upon the advantages of establishments and endowments; but there are some observations of Paley on this head, strikingly applicable to the case of Ireland.* "With what sincerity, with what dignity," he says, "can a preacher dispense the truths of Christianity whose thoughts are perpetually solicited to the reflection, how he may increase his subscription? More-over a little experience of the disposition of the common people will, in every country, inform us that it is one thing to edify them in Christian knowledge, and another to gratify their taste for vehement impassioned oratory; and that he, not only whose success, but whose subsistence, depends on collecting and pleasing a crowd, must resort to other arts than

* Paley, *Moral Phil.* vol. ii., p. 302.

the argument and communication of sober, profitable instruction for a preacher to be thus at the mercy of his audience, to be obliged to adapt his doctrine to the pleasure of a capricious multitude to live in constant bondage to tyrannical and insolent directors are circumstances rarely submitted to without a sacrifice of principle, and a deprivation of character.”*

Of all religious communities in the world, that of the Irish Catholics is perhaps the one to which the voluntary system is the most unsuitable, and in which, according to the reports of friends and foes, it is productive of the worst effects. The Catholic Church requires the service of a numerous hierarchy, and the performance of a great variety of sacerdotal functions, so that the celebration of its sacred rites is of necessity costly; while the people on whom the burthen of supporting this Church falls, are, for the most part, sunk in the lowest state of poverty and destitution. The taxation, voluntary though it be, falls heavily on the Irish peasant; every payment that he makes to his priest, imposes some painful privation upon him and his family; and when he knows that his Protestant neighbour is free from any such exaction, and that all the religious wants of the latter are provided for by the State; and when he feels that this public provision ought in justice and right to belong to himself, how

* Vol. ii., p. 312.

is it possible to expect that any reasoning, however subtle and refined, can appease his discontent, and reconcile him to such a state of things? Then what is the practical consequence of the relation established between the peasantry and the priest? There is, perhaps, no one subject on which the enemies of the Catholics have so continually harped, as that of the low condition, the turbulent characters, and the mischievous designs, of the Catholic priesthood, while their friends lament that the extreme poverty of the clergy deprives them of that freedom and authority which they might exercise for the purpose of a salutary control, and which compels many of them to be passive spectators of the evil deeds of those on whom they are so entirely dependant for support. This complaint has been made from the earliest times, and by persons of the most opposite opinions.

Bishop Stock,* in a narrative of what passed at Killala, in the summer of 1798, gives the following

* The following anecdote is recorded of Law, the predecessor of this bishop, which while, according to some, "it furnishes a useful instance of the wise and genuine liberality of his character," shocked the strictness of more orthodox authorities:—"When he took possession of the See of Killala, and learnt that almost the whole of the population were Roman Catholics, he used these expressions—'That, as it was a hopeless task to make them Protestants, it would answer every desirable purpose to make them good Catholics.' And, with this view, he got printed, at his own expense, and distributed gratis through the diocese, a new edition of the works of the Rev J. Gother, which breathe piety, and in plain and intelligible language inculcate the morality of the Bible."

reasons why, in every popular commotion in Ireland, some Roman Catholic priests will probably be concerned. "The almost total dependance of the Roman Catholic clergy of Ireland upon their people for the means of subsistence, is the cause, according to my best judgment, why, upon every popular commotion, many priests of that communion have been, and, until measures of better policy are adopted, always will be, found in the ranks of sedition and opposition to the established government. The peasant will love a revolution, because he feels the weight of poverty, and has not often the sense to perceive that the change of masters may render it heavier; the priest must follow the impulse of the popular wave, or be left behind on the beach to perish."*

Mr. O'Connell, in his evidence in 1825, admitted that the clergy were "often subject to the influence of very low people." But it is superfluous to multiply evidence of this kind, because it is not merely notorious, but continually matter of reproach, that the pecuniary dependance of the priests upon the Catholic people, and the nature of their social relations, oblige the former to become, in many instances, the active but unwilling accomplices of the latter, in their acts of violence and sedition. The only means of putting an end to a state of subserviency so degrading, and so seriously impairing their efficacy for good, are, 1st, to relieve the people from the

* Plowden, vol. iii., p. 716.

obligation of contributing to the sustentation of their clergy; 2ndly, to afford that clergy a decent, honourable, and independent maintenance; and, 3dly, to make such ample provision for the education of those who are destined for holy orders, either by an extension of Maynooth, or by other foundations of the same description, as shall eventually raise the character and increase the efficiency of the whole body of the Roman Catholic clergy, and render their just influence a source of good—not merely protective of the moral and religious interests of the people, but auxiliary to the civil and political interests of the state.

While the voluntary system produces such pernicious effects among a people whose vast numbers, excessive poverty, and excitable dispositions render them especially unfitted for it, there is no religious community for which it would be better adapted than that of the Irish Episcopalians, who now monopolise the whole revenue of the Church. They are, comparatively speaking, few in numbers, being not above one-tenth of the population of Ireland; while they possess the greatest part of the landed property, and are generally so affluent that the burthen of supporting their own religious establishment would fall very lightly upon them. As a matter of equity and justice, no arrangement could be more reasonable; for (as shall presently be more particularly shown) they have

taken every opportunity of seizing or appropriating the spoils of the Church; and, if all its present revenues were now transferred to the Catholics, or devoted to secular purposes, the Protestants might abundantly supply their own religious wants with the property they have taken from the Church, at different times and in different forms.

However, no such measure of strict justice is here contemplated. Nothing more is recommended than the adoption of a system of concurrent endowment, based upon the fact, that there are seven millions of Catholics whose religious wants must and will be supplied; that they are deprived of the moral and religious advantages which the people of England and Scotland derive from their respective establishments; and that the State suffers no less than the Irish people, inasmuch as the tendency of the Catholic voluntary system has been proved, by long experience, to be dangerous to the public tranquillity, and destructive of the harmony which ought to prevail between the two countries.

Against this case of justice and expediency united, it has been, and sometimes still is, argued, that the State has a conscience, and that it ought not to encourage *religious error* in any form, or employ the public funds in supporting any creed except that of the Established Church. Without entering into the philosophical question of what is, or ought to be the conscience of the State, it may be averred at all

events that the State is the sole interpreter of the dictates of its conscience; and the character of its interpretations, and the changes which its impulses have undergone, are plainly inferible from its acts.

Not long ago, the State proscribed the Roman Catholic religion in Ireland; it punished laymen for absenting themselves from the Established Church; it banished Catholic priests from the country, and it hanged them if they returned. But the conscience of the State now impels it to take a very different course. The Catholic religion is not merely tolerated and recognised in Ireland, but it is encouraged, assisted, and courted.

The State has already, in several particulars, sanctioned the principle of a concurrent endowment; and it is because the acts of the State do so clearly establish that principle, that they are annually opposed in the House of Commons by a select but zealous minority, who lament over this policy, as involving the commission of a national sin.

The grant to Maynooth is the first and most striking recognition of the principle of concurrent endowment, nor could it have been stronger, if, instead of such a poor and inefficient establishment as it affords, another Oxford, with its proud halls and ample endowments, had been erected. It is possible to conceive a rigid adherence to a principle, even at a great sacrifice of convenience and advantage, supposing some clear religious obligation

to demand its inflexible maintenance; but to give up the principle as no longer binding and imperative, and at the same time to suffer the evils it engendered to continue in full force, would be inconceivable, if we had not the example before us, in the instance of Maynooth. Mr. Gladstone's religious opinions made him deplore the abandonment of the exclusive principle, but his excellent understanding saw clearly the absurdity and inconsistency of the course that has been pursued.

"The support of Maynooth," he says, "was originally undertaken in the anticipation that a more loyal class of priests would be produced by a home education . . . instead of which, it has been proved that the facility of education at home has opened the priesthood to a lower and less cultivated class, and one more liable to the influence of secondary motives. It can hardly be denied that this is a well-merited disappointment. *If the State gives anything of pecuniary support, it should, in consistency, give everything*; unless it is bound in conscience to maintain the National Church, as God's appointed vehicle of religious truth, it should adopt, as its rule, the numbers and the creeds of the several classes of religionists: and in either respect, the claim of the Roman Catholics is infinitely the strongest." *

This testimony is the more valuable, on account of the source from which it emanates. The State no

* Church and State, p. 252, first edition.

longer considers itself bound in conscience to maintain the National Church as the exclusive vehicle of religious truth. It acknowledges the duty and the expediency of assisting the diffusion of religious instruction amongst the Catholics, and it acts upon the conviction that this must be done through the only channels by which they will consent to receive it. Why then does it not do the work effectually? Because it cannot, or because it dares not—because the State itself is an aggregate of opposite influences and discordant opinions—because error is obstinate and inveterate, and the progress of truth laborious and slow—because innumerable prejudices, passions, and interests, are perpetually fermenting, clashing, and creating difficulties, which it requires consummate prudence and patience to grapple with and overcome.

The annual grants for the education of the poorer classes in England as well as in Ireland, and the principles on which they are administered, equally sanction that of a concurrent endowment for the instruction of all sects, and the neutrality of the State with respect to sectarian diversities. The principle of a public provision for Catholic clergymen has received a further recognition in the Act which authorises Grand Juries to appoint Catholic chaplains to jails, and assign salaries to them out of the county rates. A similar authority is given to the Poor Law Commissioners by the Poor Relief

Act, and the salaries are paid out of the poor-rates. All these examples prove that England has deliberately and systematically cast away the exclusive principle, and that she has adopted that of religious neutrality and concurrent endowment as the best practical solution of the intricate problems presented by the ecclesiastical State of Ireland. It is remarkable that Mr. Gladstone and Dr. Arnold, both able and religious men, should afford examples of a theoretical affirmation of the doctrine of a state conscience enjoining an ecclesiastical policy of a uniform and exclusive character; while both of them, when they came to deal practically with ecclesiastical questions, discovered that such principles could not be carried out, and that they were inapplicable to the actual condition of society.

Mr. Gladstone's work on "The Church in Connection with the State," has for its object the establishment of this principle: and the Union with Presbyterian Scotland, the toleration of unchristian forms of religion in India, and the system of concurrent endowment in the colonies, are all more or less matter of grief and scandal to him. Nevertheless, as soon as his argument comes in contact with the actual circumstances of the several cases to which he refers, he finds himself unable to sustain his theory; and sees that it would be impossible to carry it out to its legitimate consequences, without sacrifices which he is much too wise and practical to

contemplate or desire. The terms of the Union with Scotland bind us in irrevocable and equal partnership with its non-episcopal Church. His scruples about Mahometanism and Hindooism are silenced by the consideration of an imaginary Indian compact; and he fairly admits that the ecclesiastical arrangements in the colonies (which provide for all religious sects) are satisfactory to the colonists, and on the whole suitable to their several conditions.

No two men could start from more opposite points of the religious compass than Mr. Gladstone and Dr. Arnold; but the latter likewise wished to identify the Church with the State: he denied that the provinces of the two are distinct; that the functions of the State are confined to temporal objects, while things spiritual and eternal are exclusively within the domain of the Church. He held that the State comprehends all these ends, and that the civil magistrate ought to legislate for the good of the soul, and for the promotion of religious truth. "It is obvious," he says, "that the object of Christian society relating, not to ritual observances, but to the improvement of the whole of our life, the natural and fit state of the Church is, that it should be a sovereign society or commonwealth;—as long as it is subordinate and municipal, it cannot fully carry its purposes into effect. . . . So long, then, as the sovereign society is not Christian and the Church is not sovereign, we have two powers

alike designed to act upon the whole of our being, but acting often in opposition to one another. Of these powers the one has wisdom, the other external force and influence; and from the division of these things, which ought ever to go together, the wisdom of the Church cannot carry into effect the truths which it sees and loves, whilst the power of Government, not being guided by wisdom, influences society for evil rather than for good.”* He admits, indeed, that this view of Church and State cannot be reduced into practice within any conceivable time, without a miraculous interposition; but he considers it as the normal type of religious government, to which we ought as much as possible to approximate in practice.

This seems to be the very essence of the Gladstonian theory, and of necessity to exclude all comprehensive and liberal principles. But it happened that Dr. Arnold was requested by the Secretary of State for the Colonies to propose a plan for a college in Van Dieman's Land. He accepted the task, and produced a plan, not founded on the identity of Church and State and the unity of true religion, but founded on the wholly discordant principle of concurrent endowment.† His letters breathe throughout a spirit of toleration and liberality, especially in respect to the Catholics, whose moral claims he

* The Church, pp. 10, 11.

† *Vide* Life and Letters, vol. ii., pp. 250, 253.

repeatedly and emphatically admits. "I know," he says, "that my principles would lead to the establishment of the Roman Catholic religion in three-fourths of Ireland."* . . . "I think that a Catholic is a member of Christ's Church just as much as I am, and I could well endure one form of that church in Ireland and another in England."

"We are suffering here from that accursed division among Christians, of which I think the Arch Fiend must be the author. The good Protestants and bad Christians have talked nonsense and more than nonsense so long about Popery, and the Beast, and Anti-christ, that the simple, just, and christian measure of establishing the Roman Catholic Church in three-fifths of Ireland, seems removed by common consent. The Protestant clergy ought not to have their present revenues in Ireland; so far I agree with Lord Grey, but not in a narrow, low, economical view of their pay being over-proportioned to their work, but because church property is one of the most sacred trusts of which the sovereign power in the Church—*i. e.* the King and Parliament, not the bishops and clergy—is appointed by God, trustee. It is a property set apart for the advancement of direct Christian principles; first by furnishing religious comfort and instruction to the grown-up part of the population; next, by furnishing the same to the young in

* *Vide* Life and Letters, vol. i., p. 372.

the shape of religious education. Now the Christian people of Ireland have a right to have the full benefit of their church property, which now they cannot have, because Protestant clergymen they will not listen to. I think, then, that it ought to furnish them with Catholic clergymen. . . . I have one great principle which I never lose sight of; to insist strongly on the difference between Christian and Anti-Christian, and to sink into nothing the difference between Christian and Christian.”*

This lucid and liberal exposition of the moral rights of the Irish Catholics corresponds with the theories of Warburton and Paley, that the established religion of every country ought to be that which is professed by the majority of the people, and that it is the interest of the State itself to form an alliance with the largest religious society.†

* Dr. Arnold's Life and Letters, vol. i., p. 332.

† Warburton, "Alliance," pp. 243-4, vols. vii. and viii. of Works. Paley, vol. ii., pp. 333-4.

Warburton says, "Hitherto I have considered that alliance which produces an establishment only under its more simple form, where there is but one religion in the State; but it may so happen, that either at the time of connection, or afterwards, there may be more than one—if there be more than one at the time of connection, the State allies itself *with the largest of those religious societies*. It is fit the State should do so, for the larger the society is, where there is an equality in other respects, the better enabled it will be to answer the ends of an alliance, as having the greatest number under its influence. It is scarcely possible it should do otherwise, for the two societies being composed of the same individuals, the greatest prevailing religion must have a majority of its members in the assemblies of the State, who will naturally prefer their own religion to any other. * * *

The authority of these writers has been constantly admitted, but the practical conclusion to which their doctrines lead has been evaded, by a fiction as extravagant as it is insulting to the Irish nation. It is pretended that the Union made the English and the Irish "one religious society." Seven millions of Irish Catholics became thus merged in twelve millions of English Protestants, and the former are not recognised by the law and the constitution, as beings having religious wants, and invested with corre-

"From hence it may be seen, why the *Episcopal* is the Established Church in *England*, and the *Presbyterian* the Established Church in *Scotland*; and the equity of that convention. Hence, too, may be seen that the alliance is perpetual, but not irrevocable. It subsists just so long as the church thereby established maintains its superiority of extent, which, when it loses to any considerable degree, the alliance becomes void . . . and a new alliance is, of course, contracted with the now prevailing church, for the reasons which made the old."

Paley, after laying down "the right of the magistrate to establish a particular religion," goes on to say—"A doubt sometimes presents itself, whether the religion he ought to establish be that which he himself professes, or that which he observes to prevail amongst the majority of the people. Now, when we consider the question with a view to form a general rule on the subject (which view can alone furnish a just solution of the doubt), it must be assumed to be an equal chance whether of the two religions contains more of truth—that of the magistrate or that of the people—the chance then that is left to truth, being equal upon both suppositions, the remaining consideration will be, from which arrangement more efficacy can be expected—from an order of men appointed to teach the people their own religion, or to convert them to another. In my opinion, the advantage lies on the side of the former scheme; and this opinion, if it be assented to, makes it the duty of the magistrate, in the choice of the religion which he establishes, to consult the faith of the nation rather than his own."

sponding religious claims. The theory of Warburton and Paley, is applied in England to the majority of Englishmen, in Scotland to the majority of Scotchmen, but in Ireland it is not applied to the majority of Irishmen; and by the enormous fiction above mentioned, millions of Irish Catholics are considered, for all ecclesiastical purposes, as members of the Established Church. So long as such an anomaly continues, it will be in vain to expect the Catholics to admit that "justice to Ireland" has really been done; for, as an able writer in the Edinburgh Review has truly said, "it is both an injury and an insult, the latter of which has no parallel in history." But this is not the only delusion on which our system of government reposes: by another fiction notoriously at variance with fact, it is supposed that the Pope *de facto*, as well as *de jure*, has no spiritual jurisdiction within this realm; and it is the necessity of acting consistently with this absurd supposition, that deters us from taking the course which common sense and expediency concur in pointing out.

The Queen of England is a great *Catholic* Potentate, and it is her interest to establish diplomatic relations with the See of Rome, and to be represented by her ambassador at the Vatican, in order to arrange with the Pope all such matters as appertain to the spiritual concerns of her Roman Catholic subjects. This is what other sovereigns do, Pro-

testant as well as Catholic—Prussia and Hanover, no less than Austria and France; but as ours is said to be a “Protestant constitution,”* and a “Protestant government,” it was probably feared, that any recognition of the Papal authority would be considered inconsistent with the dignity of the crown, and offensive to the feelings of the people. So, for the sake of having the appearance of maintaining a false pretence, we resign the advantages we might derive from the establishment of those amicable relations with the Pope, which would immediately

*What is meant by a Protestant constitution, it would be rather difficult to explain, but nothing is so common as to go on repeating phrases long after they have ceased to have any meaning. Lord Eldon objected to the Emancipation Bill, because it “unprotestantised” the constitution, and his authority, together with the indisputable fact, that any or every member of both Houses of Parliament may be Catholic, will probably suffice to take away our right to call our constitution “Protestant.” But an exemplification of the theory, and the obligation it is supposed to entail, may be seen in a speech of the Bishop of London, last session, on a motion to repeal some obsolete penal acts affecting the English Catholics. On that occasion the Bishop did not oppose the bill, but he spoke against it as follows:—“From the time of the Reformation, the constitution of this country has been not only Protestant, but an anti-popish constitution; and the legislature has, from time to time, passed acts, &c., and this is the first instance, except the Act of Emancipation, of the legislature proposing to break down the acts which were framed for the protection of the Protestant constitution. Many of these acts have been passed rather under the influence of panic, than of legislative wisdom; but *they all formed links of that chain on which the Protestant constitution depended.*”—(Debate on 30th July, 1844). The truth is, that our constitution, instead of having free scope allowed to its true genius and spirit, was too long degraded into an instrument of oppression and exclusion.

follow a frank and public recognition of his spiritual authority, the actual exercise of which we never attempt to prevent. But what makes the absurdity and the delusion still greater is, that while we deny the authority of the Pope *in form* we all the time fully and completely recognise it *in fact*: only we manage to reap the smallest possible benefit from the recognition, and to make it, as will be seen, in a manner altogether unbecoming the dignity of the British crown.

Not long after the Emancipation Act of 1829, it was found, that with millions of Catholics scattered over all parts of the empire, it was indispensable that, for the purpose of communication, we should establish diplomatic relations, of some sort, with the Pope. Our government dared not do so openly and avowedly: they knew that all the bigotry and folly in the country would have instantly been roused to join in full chorus against such an abomination; but the necessity was urgent, and could not be postponed, and, accordingly, the following expedient was adopted: in 1832,* the late Mr. Aubyn (then attaché to the legation at Florence), was sent

* Of course, it is not intended to blame the appointment of Mr. Aubyn—quite the contrary—and probably at the time no better expedient could have been adopted. It is the prejudice which prevented the appointment of a regular minister, that is alone obnoxious to censure. The present Government have done exactly what the last did. They have appointed a successor to Mr. Aubyn, precisely on the same terms, as it is understood. In both cases the individual appointments have been not merely unexceptionable, but excellent.

Mr. W. E. Gladstone on Feb. 3.

to Rome, where he was ordered to reside, without any diplomatic character, and ostensibly as a private gentleman; but by a sort of clandestine diplomacy, he was put in secret and authorised, but unacknowledged, communication with the Cardinal Secretary of State, with whom he confidentially transacted business, exactly in the same manner, and for the same purposes, as if he had been the accredited representative of his sovereign.

Now let a case be imagined—let us suppose a Lord Palmerston, or a Lord Aberdeen, appointed Secretary of State for Foreign Affairs, who, on receiving the seals from the hands of the Sovereign, would take the following oath:—"I do declare that no foreign Prince, Prelate, Person, State, or Potentate *hath*, or ought to have, any jurisdiction, power, preëminence, or authority, *ecclesiastical or spiritual*, within this realm: so help me God!"* Fresh from

* The greatest absurdity, in regard to oaths, is the oath which a Scotch lord lieutenant is still obliged to take. Though the last of the Pretenders has been sleeping for more than half a century in the vaults of St. Peter's, the Scotch lieutenant is made to declare before God and the world, that he believes, on his conscience, that the person taking on himself the title of King of England has no right to the crown, and that he renounces his allegiance to him, &c. If this be not a profane mockery, and taking God's name in vain, I know not what is:—

"I———, acknowledge and declare, on my conscience, before God and the world, that our sovereign lady, Queen Victoria, is lawful and rightful Queen of this realm; and I do solemnly and sincerely declare, that I do believe in my conscience, *that the person pretended to be Prince of Wales during the life of the late King*

this solemn declaration, that no foreign Prince or Prelate hath any spiritual authority in these islands, let us suppose the secretary repairing to the Foreign Office, and writing a despatch to the British agent at Rome, instructing him to request the Pope to do the Queen of England the favour to exercise his spiritual jurisdiction in some manner that would be agreeable to her. Can anything be conceived more inconsistent, and more undignified, than such a private appeal to an authority, the existence of which we publicly and ostensibly affect to deny? Nor is this an imaginary case, but one which has actually occurred.

When a Roman Catholic See in Ireland became vacant a few years ago, according to the usual custom three names were transmitted to the Pope, from which he was to select one. The British Government was desirous that the choice should not fall upon a particular individual, and a request was preferred to his Holiness, through the channel of our agent, that he would bestow the vacant mitre on either of the other two candidates; but the Pope said, that since the Relief Bill had passed, the English Government was constantly asking favours of him, and requiring his assistance; that he did not find such a disposition

James, and since his decease, pretending to be, and taking upon himself the style and title of King of England, by the name of James the Third,
 hath not any right or title whatsoever to the Crown of this realm And I do renounce, refuse, and abjure any allegiance or obedience to him," &c.

to oblige him, and conform to his wishes, as to induce him always to comply with theirs, and therefore he should not pass over the person objected to; who consequently received the appointment. Now this fact seems to prove, first, the egregious folly of doing things by halves, and ineffectually; and, secondly, that if we were to deal with the Pope in a spirit of frankness and cordiality, and in a manner befitting the dignity of both the contracting parties, he would readily co-operate with us in any measures conducive to the advantage of the people of Ireland, and the security and tranquillity of the Empire.*

The Pope would no doubt be exceedingly gratified if his authority were formally acknowledged by the Queen; and when this was done, nothing is more certain than that we should find every disposition on his part, to make its exercise harmonise with the temporal objects of our Government. At all events, it is clear that if the papal power is in any way mischievous or dangerous, our present policy aggravates that mischief and danger, and it is absurd to complain that the Pope is formidable to us, and at the same time refuse to adopt the obvious means of making him our friend.

* When the Rebellion broke out in Canada, we requested the Pope to exert his authority with the Roman Catholic priests to induce them to assist us in quelling the disturbance; and his Holiness addressed a pastoral letter to them for that purpose, which was attended by the best effects.

Such an agent as we employ at Rome, however able the individual may be, never can acquire the weight and authority with which a regular representative of the British crown would be invested, and the Pope is naturally enough provoked at our avoiding a public acknowledgment of the relations which, for our own convenience, we privately cultivate with him.

In urging the two measures of the endowment of the Catholic Church, and the reform of the Protestant Establishment, and at the same time passing over the other topics of Irish complaints, I am actuated by a conviction, first, that the denial of these measures constitutes the only great grievance which England is guilty of imposing upon Ireland; and secondly, that it is the only one which is entirely remediable by legislation. On all other questions affecting Irish interests, there exists a sincere and anxious disposition to promote her welfare and prosperity. But although a satisfactory settlement of the ecclesiastical questions is an indispensable condition of a cordial and permanent union between the two countries, and sooner or later such a settlement must and will be brought about, it is impossible to be insensible to the manifold difficulties with which the question is beset; and it must, however reluctantly, be admitted, that at present no propositions for a *complete and final* arrangement, embrac-

ing an adequate provision for the whole body of the Catholic clergy, could be made with a reasonable prospect of success. If the people of England can be brought to see the justice and expediency of such a measure, the fallacy of the objections to it on the score of principle, and the interest they have in a cordial reconciliation with Ireland, one great obstacle will be removed; but it is at this moment quite as much from the Irish themselves that difficulties would be likely to arise in respect to the question of endowment. There was a time when the Catholic clergy would have cheerfully accepted a provision from the State; but the bitter animosities that have since prevailed, and the determined manner in which the leaders, both lay and clerical, have repeatedly and recently repudiated all idea of stipendiary endowment, would probably ensure the rejection of any pecuniary offer which the Government might be disposed to make to them. The Catholics are, unhappily, so alienated from the British connection, and so full of suspicion and distrust, that even a measure, like the Charitable Bequests Act, which was expressly devised for their gratification and advantage, finds no universal favour in their eyes. The clergy fancy that we want to sow divisions among them, and to obtain an undue influence and faculty of interference in the concerns of their Church; while Mr. O'Connell thunders away against the bill with his usual vehemence, and in one sweep-

ing condemnation inveighs against all measures having a tendency to connect the Catholic Church with the State.

It is certain that the great leader, and the Catholic clergy generally, have desperately committed themselves against the acceptance of any support from the State; but it must be recollected that there is no principle which forbids such an arrangement, and that in 1825 Mr. O'Connell was a warm advocate for it; while all the very excellent reasons he gave in favour of "the golden link" are just as cogent now as they were then: his evidence is very remarkable; and it would puzzle even his Protean astuteness to show, that what was then so desirable, is now equally objectionable.

"Does it occur to you," was he asked, "that the equalization of political rights enjoyed by Catholics and Protestants would be conveniently and advantageously accompanied by some legislative provision for the Catholic clergy, dependent upon the will and pleasure of the Crown?—Yes, it does. I think it would be very desirable in that case, that the Government should possess a legitimate influence over the Catholic clergy; so that, in all the relations of the State with foreign powers, the Government should be as secure of the Catholic clergy as they are now of the Protestant clergy. I think, therefore, it would be very desirable that the Government should have that reasonable bond that would bind the

Catholic clergy in interest to them, as well as in duty. I should be very desirous myself of seeing Government possess that influence.”*

“Do you think the establishment of a State provision for the Catholic clergy would produce any alteration in the character, conduct, and influence, of the Catholic priests?—In the event of the equalization [of civil rights], I do not think it would destroy their influence at all. I think that it would have some tendency to improve their character; but however mistaken I may be, my own opinion is very high of the general character of the Catholic clergy at present, and, therefore, I speak of improvement with diffidence and doubt.

“From your knowledge of the feelings of the Catholic clergy, are you convinced that, as accompanying emancipation, they would be generally ready and willing to receive State provision?—I have not the least doubt upon my mind that they would be quite ready, as accompanying emancipation.

“You have said that, in general, those persons who have been educated for the priesthood are lowly born?—Yes; so generally, as to partake, in some measure, of universality.

“If there were an equalization of rights, and provision made for the Catholic clergy, do you think that one of the consequences would be, persons

* Minutes of Evidence before Lords' Committee; Daniel O'Connell. Esq., 11th March, 1825.

better connected—gentlemen—going into the Catholic priesthood?—I am sure it would be one of the consequences; it is natural it should be so; for at present, with, I believe, very strong dispositions to bestow charity, and abundant opportunities if they had the means of bestowing it, they are living, themselves, upon a kind of charity, obtained from very poor persons; a situation extremely painful, and to which the sons of gentlemen will, of course, very reluctantly and only from superior enthusiasm—I will call it—submit; not meaning myself to tarnish it by calling it enthusiasm.”*

There are certainly many things which might be done for the Irish Catholics, and which they would not refuse at our hands; and if these were tendered in a liberal and conciliatory spirit, it would pave the way for effecting more complete and comprehensive arrangements hereafter. The especial points to which the government might direct its attention are these:—First, Maynooth is said to have proved a failure; let it be a failure no longer. To the object originally contemplated, of rearing up a home-educated clergy, let means be applied commensurate with the importance of the design; whether it be by the extension and improvement of the present college, or by the establishment of other foundations, is com-

* Lords' Committee, 1825; Evidence of Daniel O'Connell, Esq., 11th March.

paratively unimportant. The essential point is, that the State should contribute as largely as the necessity of the case requires, for the purpose of ensuring to the Catholic community an adequate supply of clergymen, well educated and prepared for the ministry; and that the whole arrangements should be concerted with the heads of the Catholic Church, to whose wishes and opinions on the subject a deferential attention ought to be paid.

Secondly, The status of the Catholic clergy might be acknowledged through all the gradations of the hierarchy; the bishops, as bishops of their respective sees, and the inferior clergy, as lawfully appointed priests of their several parishes.*

Thirdly, The places of Catholic worship, where they are in decay, should be repaired, and where they are deficient, should be supplied. Such boons as these, the priests might accept without any compromise of their independence: and when it shall be manifest to them that, in tendering an endowment for their church, we have no design of impairing their efficiency, or of diminishing their legitimate influence over their flocks, but that our simple object is to relieve the people from a burthen that oppresses them, it is difficult to believe that they will continue to reject what it would be no violation of their principles to accept.

Why, for example, should not a sum of money be

* This is virtually, but indirectly, done by the nominations made under Charitable Bequests Act.

voted by Parliament, and placed at the disposal of the Roman Catholic bishops, to be employed at their own discretion, for ecclesiastical uses ; without any condition being annexed to the grant, except that they should render an account, to be laid before Parliament, of the manner in which the money has been applied ? This would be a mark of confidence and good-will, which, if met in a corresponding spirit, might lead to the happiest results. It is impossible to believe that the Irish clergy are so unlike the clergy of every other Church, as to be really averse to the good things which the State is able to bestow upon them ; and the way to reconcile them to the soft practice of acceptance, must be by the frankness, sincerity, and cordiality of our advances towards them. The clergy evince no reluctance to be publicly remunerated for their professional ministrations in those institutions where their services are required ; and in jails, military hospitals, and poor-houses, they cheerfully receive the stipends that are allotted by the Government. But, while these symptoms encourage a notion that the priests would not, in the end, prove so very coy and forbidding, it is impossible to overrate the importance of making some speedy exertion to bring them to a better disposition than that which they at present evince. Possessing enormous power,* they

* The priests have always been the great actors in modern Irish history. Dr. Hussey was the man who first came forward in 1786.

certainly are not inclined to make a beneficial use of it. The great majority of them are hot Repealers—it is they who work all the machinery of Repeal. The great meeting at Clontarf, the last of the Monster Meetings, was convened upon a requisition signed by twenty-five priests, and not by one layman. It may be very shocking and very wrong, that men, who ought to be devoted to their religious duties, should be thus deeply engaged in agitation of the most mischievous character; but when the class from which they spring, and their miserably defective education are considered, our wonder that they are what we see them gives way to the much greater wonder that we have gone on so long permitting such a system to flourish in rank luxuriance; and though fully alive to all its practical consequences, have never made the smallest attempt to cure the evils it engenders.

Lastly, we ought forthwith to put an end to the anomaly of quasi-diplomatic relations with the Pope, acknowledge him to be *de jure*, as he is *de facto*, the head of the Roman Catholic Church in Ireland; and invite him to join with us in a spirit of amity and mutual confidence in the arrangement of all measures requiring the concurrence of his spiritual authority with the temporal power of the State.

It was Dr. Doyle who roused the clergy from their inaction; and Dr. Kelly, bishop of Waterford, who, by his personal authority, carried Villiers Stuart's election.

But in dealing with the Protestant Establishment of the Irish Church, difficulties more formidable undoubtedly present themselves ; nor can the question be mooted at all, without raising a host of sectarian and political passions. That Church and its history present a melancholy subject of contemplation. Founded in proscription and violence, it has not only imperfectly fulfilled the duties and accomplished the objects of a Christian church, but it has been, from first to last, the source of an incalculable amount of moral and political evil ; utterly failing to draw within its fold the great body of the Christian flock, it has itself been made an object of spoliation, and the instrument of an insulting domination. Authentic records show that for nearly two hundred years the Irish Protestants were more intent upon plundering the Church of its revenues, than upon assisting in the diffusion of its doctrines ; nor was it without the most vigorous exertions that the Church was at last raised from the state of degradation and poverty to which spoliation had reduced it. From the earliest period after the Reformation, down to the middle of the last century, we find reiterated complaints of the penury and inefficient condition of the Irish Church,* although many great and good men appeared in it, from time to time, who were sincerely desirous of exalting and purifying its character, and extending the sphere of

* Davies's Tracts, p. 266. Mant, Hist., vol. i., pp. 279, 400, 448-50 ; vol. ii., p. 72.

its usefulness. It is evident it was not beloved or respected by the Episcopalians themselves, while it was detested by the Catholics, was nearly as odious to the Protestant Dissenters, and was regarded by statesmen and governments, rather as a secular and political instrument, than a spiritual institution, the primary function of which, was the inculcation of religious principles, and the diffusion of religious knowledge. It is needless to produce proofs of the early condition of the Church, or of the character of the clergy, because they are already abundantly scattered through the preceding pages. The Protestant landlords (for nearly all the landlords were Protestants) availed themselves of the confusion of the times to grasp every fragment of Church property they could possibly lay their hands on,* and as long as they could let their land high, they cared not † how much the clergy were robbed of their just dues.

* "The greatest part of the clergy throughout the kingdom have been stripped of their glebes, by the confusion of times, by violence, fraud, oppression, and other unlawful means, all which glebes are in the hands of the laity ; so now they are forced to be at the mercy of landlords for a small piece of ground in their parishes, at a most exorbitant rent, whereon to build a house."—*Swift's Works*, vol. viii. p. 428.

† Some gentlemen have let their lands so high, that, without robbing the clergy of their just dues, they are satisfied their rents can hardly be paid ; and others fall in with them that they may be able to raise their lands. . . . Some hope they might come in for plunder if the bishops were stripped ; and most of the needy gentry envying to see the bishops . . . by a proper frugality, easy in their circumstances.—*Mant*, vol. ii., p. 353.

The gentry were unwilling the Clergy should recover the glebes of which the Church had been stripped, or possess any at all, "for," say they, "they will live in their parishes and have a place to draw their tithes, and we shall not have them at what rate we please."

While the most atrocious penal laws were enacted, under the pretence of converting the Catholics, it was acknowledged that no religious motives were at the bottom of these measures; and that the conversion of the Catholics was rather deprecated than desired by the ruling Powers. Archbishop King, in an unpublished letter written in 1724, says,* "It is plain to me, by the methods that have been taken since the Reformation, and which are yet pursued by both the civil and ecclesiastical powers, that *there never was, nor is, any design that all should be Protestants.*" And during the primacy of Boulter, so evidently were the spiritual interests of the Church considered subordinate and subsidiary to the secular interests of the State, that the historian† of the Irish Church says,

* "One would think that the world were somewhat concerned about religion, for those bills that passed last were on pretence of weakening the popish interest; but, after all, there is not the least consideration of religion at the bottom: and we must learn from this not to judge from appearances."—*Letter of Bishop King; Mant*, vol. ii., p. 96.

† "We shall, I believe, have some consideration of methods to convert the natives, but I do not find that it is desired by all that they should be converted. . . . There is a party among us who have little sense of religion, and heartily hate the Church," &c. &c.—*Abp. King to Swift; Swift's Works*, vol. x., p. 204. *Mant*, vol. ii., p. 230.

“ It is remarkable, on a perusal of the Primate’s letters, that very little is said of the moral, the religious, the theological, or the literary, characters of those who are put forward for supplying the vacancies in the episcopate, and that their recommendations rest in a prominent degree on political and secular considerations.”*

It is not surprising that such a Church was an instrument of more evil than good; its ways were not the ways of pleasantness, nor its paths the paths of peace; the characteristic virtues of Christianity, charity and humility, were not the virtues which it promoted among the Protestants, and in the sight of the Roman Catholics it stood as a monument of power ill used, and the symbol of an odious ascendancy. There can be no doubt that the character of the Church is greatly altered for the better,† but the sins of the fathers have been visited upon their children unto the third and fourth generation, and it is difficult to reconcile the present race of Catholics to

* Mant, vol. ii., p. 424.

† Nevertheless, Archbishop Magee, in his famous charge in 1822, gives but a moderate character of the clergy, and of the result of their labours :—“ By a deficiency of zeal and devotedness, we, and those who have gone before us, the ministry of the Established Church, have to answer for no small portion of that irreligion which now too fatally prevails among our people. At no time has an indifference to religion been more prevalent, or a disrespect to its lawful ministry been more extended.” It was in this Charge that he gave such mortal offence to the Catholics, by talking of their Church as the church without a religion.

the existence of a Church, which is not only identified in their minds with innumerable injuries and mortifications, but has been a constant obstacle to their attainment of the most important objects.* On the other hand, it is clear that the Protestants of both countries would abhor a proposal to sweep away entirely the Irish Protestant establishment, and it would be impolitic, in framing a measure of justice and conciliation, to excite resentment and heart-burnings not less violent than those it is our object to allay. Nor have the Catholics reason on their

* Nothing can better exemplify, and at the same time account for, the hostile feelings of the Catholics against the Church, than the debates on the Irish Corporation Reform. In England, Corporation Reform was debated on its own merits; in Ireland, the argument all turned on whether the reform was likely to be dangerous to the Church. "I rejoice," said Mr. Charles Buller, "to hear it avowed by its friends, that in order to keep it up it is necessary to deprive Ireland of almost every institution which you think good for Great Britain:—this is the real mischief of that Church. Its mere existence has been a constant cause of irritation to the community—a perversion of a great national fund to the miserable purpose of a sect and a faction, and an obstacle to the endowment of the natural religion in the country which, perhaps more than any other, requires the connection of the State with the Church of the people. Yet, in order to maintain this institution in defiance of the hostility of the nation, you have been obliged to pervert every other institution that belongs to it; and the train of auxiliary grievances has been far more than those which they have been summoned to aid." Instead of this charge being denied, it was acknowledged and defended. Lord Stanley said that, "Fearless of the scorn and contumely with which the very name of Protestant appeared to be met on that side of the House . . . he must assert one intelligible and insurmountable objection to the measure—that it was calculated for the overthrow of the Irish Protestant Church."—*Vide Debate in 1837, 7th and 8th Feb.*

side, when they disclaim any wish to possess the endowments of the Church themselves, but insist that the Protestants shall no longer enjoy them. If they were to urge a better title to the ecclesiastical revenues than that of the Protestants, it might be difficult to controvert such a claim ; but to demand the exclusive appropriation of these funds to secular uses, for which they never were intended, is a pretension unfounded in either justice or expediency, and which both the pride and the religious feeling of England will most assuredly resist.

However morally defective the original title of the Irish Protestant Church to its revenues, such a revolution as would utterly destroy it would be impossible if it were attempted, and would be unwise if it were possible. But it is desirable, for the sake of peace and union, that the Establishment should be reduced to a level with the real and reasonable wants of the Protestant community, that all offensive manifestations of superiority and ascendancy should cease; not that a triumph should be given to the Catholics over the Protestants, as a sort of compensation for past humiliation, but that an equality should be brought about as complete as would be compatible with the difference that must always exist in the habits and circumstances of the clergy of the two communions.

One of the great difficulties which invariably presents itself to every plan, is the objection to the

principle of secular appropriation. Though this is so sensitively put forward, the history of the Irish Church presents a continual series of such appropriations. The systematic and determined course of secular spoliation, for about a century and a half, has already been shown.

In 1735, the tithe of agistment, to which the clergy were entitled both by common law and by statute, was virtually taken from them by a vote of the Irish House of Commons. It was resolved in that Protestant House, that their other ecclesiastical emoluments afforded them a plentiful provision; that the agistment tithe was grievous, burthensome, and *injurious to the Protestant interest*, and that any attempts they might make to obtain the agistment should be opposed. They were consequently terrified out of making any such attempt, and the tithe of agistment was lost to the Church, and quietly confiscated to the benefit of the landlords.*

Since 1830, the reforms that have taken place, although not on the whole injurious to the Church, have been extremely advantageous to the laity. The tithe commutation gave the landlords twenty-five per cent. of the whole amount of tithe. The abolition of church cess was indirectly beneficial to them; and the power of converting their ecclesiasti-

* The million which Parliament voted to the Irish clergy in lieu of their tithes, was a benefit to the landlords. They got their rents all the better, and the greatest part of the arrears was never recovered.

cal leases into fee-simples, has turned out so good a bargain for the lessees, that it has been calculated to be worth generally not less than fifty per cent., or to have doubled the value of their property. The principle of this measure is very similar to that proposed for the English Church in 1837, and which was strenuously and successfully opposed; the great difference in the two cases being, that in the one, it was proposed to apply the surplus to purposes of public utility, and in the other, the benefit was bestowed on the landlords. It would be unfair and untrue to call these acts of spoliation; but they undoubtedly indicate any thing rather than a pious horror of secular appropriation.

During the debates on the Tithe Commutation Acts, the sinecures in the Church were exposed, and proposals made to get rid of them, which were always resisted. It was shown that there were 151 parishes, in which there were no Protestants at all; 194, in which there were less than 10; 198 less than 20; 133 less than 30; 107 less than 40, and 77 less than 50: and there were 723 parishes having no churches or glebe-houses, and where, of course, no clergyman could reside, nor any service be performed.*

* "It is to be observed that in Ireland the benefice is often composed of several parishes, and that therefore a benefice may contain some parishes in which there are few or no Protestants, combined with other parishes in which their number is not inconsiderable. It was the object of the church temporalities act, by the union of parishes, to correct the abuse which the statement in the text implies,

At one end of this vast anomaly, is found an unnecessary number of bishops, with sees still more unnecessarily rich ; and at the other end, an ill-paid body of working curates. It may be imagined that these vices in the system are matter of indifference to the Catholics, who have nothing to gain or lose by a better distribution of the ecclesiastical funds. But this is not the case ; such a reform as would strip the Church of its invidious splendour, and make it a good working instrument, would disarm much of their hostility to the Establishment. As it is, they hate it from old association ; they hate it because it constantly stands in the way of the improvements and advantages which they have a right to expect, and which, but for this Church, they would have no difficulty in obtaining. How can they feel otherwise, when they are continually reminded that the primary object of government and legislation in Ireland is the maintenance of the Protestant Church, and that this end is the alleged pretext for refusing them those civil rights, which are enjoyed by the rest of their fellow-subjects. Then, what is the inference which

and the practical suppression it effected, of parishes in which there were no Protestants, or in which service had not been performed, was wise and just. There are in Ireland about 2400 parishes, melted down into about 1200 benefices. It is to be observed, however, that out of 1387 benefices into which Ireland is divided, there were in the year 1834 not less than 41 containing no member of the Established Church, and 223 in which there were only between one and fifty.

they cannot fail to draw from the eternal wrangling about appropriations—from the jealousy of any application of Church funds to any other than to Church purposes, coupled with the facility with which the principle is waived or compromised in favour of the landed interest? The inference must be, that provided no part of the property of the Church be directly or indirectly made instrumental to the benefit of the Catholics as Catholics, it signifies comparatively little how it is disposed of. It may go to swell the incomes of the bishops, or to keep up sinecure livings, or it may pass into the pockets of the landlords. Anything rather than apply the revenue to purposes in which Catholics are equally interested with Protestants. What the Protestants want is security for their Church; what the Catholics want is religious equality: not an exact and rigorous equality, but such as would be sufficient for practical purposes, and would effectually remove from their minds the sense and the appearance of inferiority.* It is marvellous that the friends of the Church should not perceive that the only security attainable, and worth having, is that which would result from the Protestant Church ceasing to be an object of envy and hatred to the Catholics, and from the law giving to the latter such satisfaction and advantages, as should dispose them to reverence and obey the law,

* See some judicious remarks in the *Ed. Rev.* on this head, vol. lxxix., p. 239-40.

and to consider that they have a common interest in supporting all the institutions which are under its protection.

There are persons who maintain that Christian principles ought to influence our legislation, and insinuate themselves into all the transactions of public as well as of private life; and yet these persons are generally found among the most strenuous supporters of a system which has no mark of Christian character stamped upon it, from which everything like peace and good-will to man, and the spirit of self-sacrifice, have been entirely banished; and which has nourished hatred, malice, and all uncharitableness. Probably there is no country in the world which exhibits such a fearful spectacle of unchristian feeling as Ireland. It might be possible, —at all events it would be worth while to try—to introduce a better spirit into our legislation, and to contemplate the cessation of the bitter religious feuds and animosities which have so long divided the people. When the two Churches shall be inclined to assist one another in their common office of comforting, instructing, and consoling mankind,—when the Protestant Church shall relax its selfish and unchristian determination to retain all its riches within the limits of its own religious pale, and evince a willingness that its superfluity should be freely imparted to its Catholic sister, we may hope to see an approximation to harmony and concord. If, for example, there

should be any Protestant funds unemployed while Catholic Churches are wanted for the people, the Protestant clergy ought, not merely ungrudgingly to consent, but to desire, that to such wants aid should be given, and to rejoice in an appropriation that would be so fertile in sentiments of mutual confidence and regard.

I am conscious that the logical inference from the foregoing argument is, not only that the Catholic Church ought to be endowed, but that the ecclesiastical endowments in Ireland ought to be transferred to it, and that there is an apparent inconsistency in stopping short of this double consummation; but in dealing with the affairs of mankind, we must be content with pursuing the possible, and accepting the balance of attainable good; and this is one of the cases in which it is imperative to endeavour to effect some compromise between those antagonist interests and passions, to neither of which it would be wise to give even the semblance of a signal triumph over the other. To transfer the religious ascendancy from the Protestants to the Catholics, would be to leave the animosity of the Rival Sects unabated, and merely to change their relative positions,—nor do the Catholics themselves desire such an issue of the great contest; what they desire is equality, rather than either wealth or power; they want to be able to lift up their heads with a proud consciousness, that they have ceased to be looked

upon as an inferior class, and if we minister judiciously to their jealous and sensitive feelings, there is every reason to hope that they will very soon advance half way to meet us. It is our business to promote the internal concord of the United Kingdom, and to incorporate Great Britain and Ireland really, as they already are nominally, into one solid and indissoluble empire. "I assure myself," says Lord Bacon, in a letter to King James, "that England, Scotland and Ireland, well united, is such a trefoil, as no prince, except yourself (who are the worthiest,) weareth in his crown, *si potentia reducatur in actum*."* To effect this, the religious dissensions of Ireland must be composed, and the mutual antipathies of Protestants and Catholics appeased. At present, owing to the discontent of the great body of the Irish Catholics, the Union itself is only maintained by force,—by the will of the stronger party,—backed by the presence of an irresistible military power, and not by the consent and attachment of the weaker. The geographical position of Ireland, in respect to England, has always been disadvantageous to the former. She has been too contiguous to be independent, and too remote to acquire that influence, to which so large and integral a part of the empire is justly entitled; and which, if the ocean did not roll between them, she could not fail to possess. She has the mortification of seeing

* Works, vol. xii., p. 73.

Scotland, far inferior in wealth, resources, and population, more independent, and in every respect more justly and impartially governed than herself. One of the most serious results of this state of things is, that Ireland has long been universally regarded as the vulnerable side of the British Empire; and whether or no England really is as vulnerable in that quarter as she is supposed to be, it is certain that the impression naturally produced in foreign states, by the spectacle of Irish commotions, enters largely into all their political speculations, and that the complete tranquillization of Ireland would be the circumstance, of all others, which would add the most to the weight and authority of this country, in her foreign relations. While other countries are, or at any critical moment may be, influenced by delusive expectations of a disposition on the part of Ireland, to avail herself of any favourable opportunity to revolt, the Irish are always contemplating the possibility of England having some foreign quarrel on her hands, which may afford them facilities for enforcing the redress of their own wrongs. If any menacing cloud begins to blacken the horizon, if any storm appears brewing on the side of America or France, Ireland rejoices, and prepares to turn our troubles to her own account.* She has not forgotten

* M. De Beaumont's *L'Irlande*, Preface to sixth edition, p. 10.—
“Ireland rejoiced at the successes of France, and lamented over

the memorable words of Grattan, "that the weakness of England is the strength of Ireland;" and experience has shown, that when England's fears are thoroughly awakened, there is no concession that may not be extorted from her, in some moment of difficulty and danger. It is a reflection full of melancholy and shame, that when any political incident occurs, affecting the interest or honour of our country, Ireland keeps aloof; and discusses the probability of England being at war, as if it were some foreign State with which she had no common sympathy. The vindictive or inflammatory spirit which strives to perpetuate this estrangement, is the more flagitious, because it is, to the greatest degree, prejudicial to the Irish themselves; but it must not be forgotten, that it is our policy which has created such a power of mischief, and taught Ireland to think that in our danger lies her hope, that she may always expect everything from our fears, and never anything from our justice. This source of weakness and danger is as old as the time of Lord Bacon; and indeed, it is remarkable, that if we look at any part of his writings upon the subject of Ireland, we might suppose he was addressing himself to the circumstances of the present day.

He recommends a certain measure, "for the great

her reverses. Upon the news of a victory on the Rhine, a general illumination at Dublin celebrated the triumph."—*Wolfe Tone's Memoirs*, vol. i. p. 200.

safety that is like to grow from it, in diseomfiting all hostile attempts, which the weakness of that kingdom hath hitherto invited; for the particulars, the example is too fresh; that the indisposition of that kingdom hath been a continual attraaction of troubles and infestations upon this estate," &c.* Irish separation and foreign invasion are contingencies so apparently remote and improbable, that the minds of men can hardly be brought to imagine them; but it would be well to remember, that during the American war, Ireland was nearly lost, and only saved by the jealousy of the Irish Protestants towards the Catholies. There was a memorable night, when "Lord Auckland came down, booted and mantled, to the House of Commons, and declared before God, if he did not carry with him a complianee of all their demands, Ireland was lost for ever to this country;"† and, however unlikely it is, that the present generation may witness the descent of a French army in Ireland, we ought not to forget that such things have been; that, in August, 1798, 1100 men, under General Humbert, landed at Killala; and in October of the same year, 2000 men were aneored (though they did not land) off the same place. It was by a concurrence of fortunate accidents that the expedition of Hoche was frustrated, at a moment when, in Wolfe Tone's opinion, 10,000 Frenchmen

* Works, vol. v., p. 174.

† Plymley's Letters, p. 98.

were sufficient to revolutionise Ireland.* Since that period, circumstances are materially changed; but, as far as the condition and the disposition of Ireland are concerned, are they changed for the better? All we certainly know is, that the people have been, and perhaps still are, organised for one object, with an unanimity and display of force totally unprecedented. Whether the mind of Ireland is really so alienated from the British connection as these signs would indicate, and what amount of probability there may be of any sparks from abroad falling on this combustible mass, are questions of doubtful solution; but it is certain that Ireland has acquired tenfold power to accomplish her objects and her will. Nor is Ireland only a source of weakness and danger, but she is also the cause of dishonour and discredit to England. Just as individuals are amenable to public opinion, nations are obliged to submit to the judgment of the whole civilised world. There is, perhaps, no one subject which has (more especially of late years) attracted such universal attention as the international relations of England and Ireland, and the long and violent contests which they have engendered; nor any on which the great tribunal of European opinion has pronounced a more unanimous sentence. Eminent men, in foreign countries, of the most opposite parties, persuasions, and characters, concur in sentiments of

* Tone's Memoirs, vol. ii. p. 16.

astonishment and indignation at this great moral and political phenomenon. They see a country, for 700 years connected, without being united, with her powerful neighbour; a province, constituting one-third part of the whole empire, ruled by a Government which has "no root in consent or affection; no foundation in similarity of interests, or support from any one of the principles which cement men together in society,"* and which could only preserve its dominion by the exercise of violence and terror. To the internal state of the country, no parallel can be found; nor was there ever any other, in which, for 500 years, no interval of peace occurred, except, perhaps, in Spain, from the invasion of the Arabs to the conquest of Grenada. The evils against which we are accustomed to pray that the Lord will deliver us—"privy conspiracy and rebellion, pestilence and famine, battle, murder, and sudden death,"—have, for centuries, been the portion and the scourge of that unhappy land.

The case stands alone in the history of the world, and philosophical spectators have to determine whether it is attributable to an inherent incorrigible propensity in the Irish to violate all the restraints and obligations of society; whether there is some idiosyncrasy in the character of the people, rendering them inaccessible to the harmonising influences which

* Erskine's speech on Stockdale's trial.

the progress of civilisation exercises over the rest of mankind, or whether it is attributable to bad government alone, to the operation of cruel and degrading laws, and a severe and arbitrary administration.

Impartial critics reject the former hypothesis ; they do not think it needful to look for a cause in some physical development, making Irishmen specimens of an exceptional class, when they have under their eyes an accumulation of moral causes sufficient to account for the effect. Be the causes however what they may, the practical solution of the problem of governing Ireland has baffled all the statesmen of England, from a remote period down to the present time. Men of the greatest celebrity, and whose names will be renowned in history, have risen on the political horizon, run their appointed course, and set again, testators to posterity of many legacies of wisdom and virtue, but leaving Ireland as disturbed and discontented as they found her. That this is a disgraceful blot upon the fame of England it would be vain to deny. The world sees a nation, which its rivals and its enemies allow to be courageous and resolute, sagacious and humane, evincing in its general conduct qualities which command the respect and admiration of mankind, while in its dealings with Ireland alone, its nature seems to be changed, its characteristic wisdom and liberality disappear, and it becomes selfish, ungenerous, and pusillanimous. It is time we should purge away this stain upon the national character.

It would be difficult to prove that one single Englishman or Scotchman has the shadow of an interest direct or personal in the Irish Church ; it contributes nothing to his welfare in this world, or to his chance of happiness in the next ; but every man in Great Britain is interested in the pacification of Ireland, and in converting her from an enemy into a friend. He has the same sort of interest that he has in extinguishing the fire which is raging in his neighbour's house. He has the share of interest which every individual member of the community has, in every question of public economy, public utility, and public safety. But if religious prejudice, or the love of domination, should be strong enough to induce the English people to set their faces against a timely and reasonable concession, the struggle must continue, and infallibly end, like all preceding struggles, in a tardy and ignominious surrender. It was in this way that America was lost ; and thus that Ireland gained, first her commercial and legislative, and next her political and religious emancipation. If we do not give up the principle of an exclusive Establishment, and make a compromise while we may, we must prepare ourselves for the possible occurrence of some crisis of political embarrassment, of which Ireland tells us, in no ambiguous terms, that she will not fail to avail herself. In such a case, an Irish Church question will be a very different thing from that of Repeal, against which all England is, and always will be,

united to a man. There is already a powerful party here, avowedly hostile to the unreformed Protestant, and unendowed Catholic Church, and from the Conservative ranks converts of influence and ability are continually passing over to that opinion.

A time, and that not very distant, may fairly be anticipated, when an Irish and English liberal party will be too strong for the advocates of the exclusive religious system; and then there will be weeping and gnashing of teeth, that the terms which were so repeatedly offered and so obstinately rejected, will no longer be accepted. It is continually asserted, that the people of Great Britain will never consent to contribute to the sustentation of a Church the doctrines of which they believe to be false—but it is not on grounds of conscience, nor even of will, that this question must ultimately be decided.

If the people of this country are determined that the existing revenues of the Irish Church shall for ever be the exclusive portion of the Protestant minority, and that it shall retain the monopoly of public protection and assistance which it now enjoys, they must make up their minds between two alternatives: either they must pay for the pleasure of continuing such an appropriation, by providing the Catholics with an equivalent that will satisfy them; or they must abide by all the consequences of Irish resentment and disaffection, and arm themselves to encounter them.

Will they be content that the condition of Ireland should remain for ever as it is; that its allegiance and connection should be permanently enforced by an army of occupation, and for all time to come that 25,000 men should mount guard upon the Established Church?

But are we sure that even this will be sufficient to accomplish the desired object? The Catholics of Ireland have never yet waged regular war against the Protestant Church! They may not be able to extort (even if they wished it) an endowment for themselves; but if they were to employ all the means which the astuteness of agitation so well knows how to bring into operation against the Church, they would very soon obtain practical equality, by breaking down the Protestant Establishment, and reducing the clergy to a dependence upon the Voluntary principle. It would be well if the Irish Church itself would consider the desperate game it is playing; and that, by insisting on the continuation of its monopoly, it risks all its possessions, and that it must resolve to surrender either its exclusiveness or its existence.*

* It is easy to conceive many conjunctures of political events, which would render the Imperial Government incapable of maintaining an exclusive ecclesiastical system in Ireland, and would compel it to surrender, at one blow, the monopoly of the Irish Protestant Church, and its existence as a State Establishment. One of these imaginable contingences may be mentioned, by way of illustration. Suppose, for example, that through the prevalence of Tractarian opinions in the

At such a crisis it is impossible not to turn with hope, amounting to expectation, towards Sir Robert Peel, and with confidence that whatever prejudices may still remain elsewhere unrooted, he, at least, will rise superior to them. Not one of all his predecessors in the high office he holds, has ever rendered more important services to his country than he has now the opportunity of conferring upon her; and of all men he is the best fitted by character, by capacity, and by position, to accomplish the mighty task that is presented to him. He has already done enough to prove to the world that he is actuated by none of the ordinary motives of vulgar ambition. On a memorable occasion, he consented to make momentous and deeply felt sacrifices to an overwhelming sense of public duty. The subsequent experience of fifteen years, and that intermediate study of the book of life, which is the great instructor and adviser of statesmen, can hardly have failed to make him contemplate the discharge of his public obligations in a spirit more independent and more stern; and in a recent instance he evinced a firm-

clergy of the Church of England, a large secession, either generally throughout the country, or in certain populous dioceses, took place; and that a numerous *free church* was formed, which would necessarily be supported upon the Voluntary principle. This state of things would give a great and permanent addition of strength to the party *in England* which is opposed to an Endowed and Established Church; and, with *their* assistance, the Irish Catholics would be likely, at some favourable moment, to induce Parliament to secularise the revenues of the Irish Protestant Church.

ness and decision, and a fearlessness of giving offence, equally indicative of his indifference to the possession of office, and his resolution to retain it no longer than he was permitted to exercise the power it conferred, according to his own judgment, of what was most beneficial to the State. From the very beginning of his public career, Sir Robert Peel may claim to be called a Reformer. He has, through the whole course of his political life, steadily, consistently, but cautiously, endeavoured to correct abuses and errors, and to amend the laws, in order to improve the social condition of the country. Having, without scruple, freely canvassed his antecedent conduct, I may, without scruple, do justice to the purity of his motives, the sagacity of his views, and the good services he has performed; but the best of these services will sink into insignificance, in comparison with the pacification and reconciliation of Ireland, if Providence should reserve to him the crowning mercy of such an achievement. It would, indeed, be a fallacy and a delusion to suppose that he, or any man, or any set of men, could by any measures, however politic or pacific, immediately dry up the ancient sources of weakness and disunion in that country; it would be over sanguine to expect that Ireland should be at once and completely incorporated in feeling, as well as in law, with the rest of the empire; all that he can do, is to lay the foundations, foundations broad and deep, on which a

superstructure of conciliation and union may gradually be built; it is not to be doubted that he would have innumerable difficulties to encounter; that he would be assailed by obloquy, and calumny, and clamour; that he would risk the disruption of political connections, and possibly shake the security of his ministerial power. But what are all these objects compared with the consciousness of a great duty, ably and honestly performed—the consummation of which would engage the sympathy of all that is wise and good in the whole civilised world, and be attended with that enduring fame, which crowns the great benefactors of mankind?

“Ireland,” said Lord Bacon, “is the last *ex filiis Europæ* which hath been reclaimed from destitution, and from strange and barbarous customs, to humanity and civility . . . this work is not yet concluded to perfection, but is in fair advance; and this I will say confidently, that if God bless our Kingdom with peace and justice, no usurer is so sure in seven years’ space to double his principal with interest, and interest on interest, as that Kingdom is to double its stock of wealth . . . so as that Kingdom which once, within these twenty years, wise men were wont to doubt whether they should not wish it to be in a pool, is like now to become almost a garden and younger sister to Great Britain.”

APPENDIX.*

BOOK I. CHAPTER V.

ON THE RELATION OF THE SEVERAL CHRISTIAN CONFESSIONS TO EACH OTHER.

§ 1. *Position of each Confession with respect to the others.*

THE CATHOLIC CHURCH, intimately convinced of the truth and saving influence of her doctrines, constantly strives, in fulfilment of the obligation bequeathed to her by Christ, to diffuse the true Gospel and extend the Kingdom of God. So far, therefore, as her voice reaches, she cries out to all who walk in error without her fold, and exhorts them, for the sake of salvation, to union with herself. But for the confutation of error and the recall of the erring, she has no other means than a conscientious exposition of her reasons and the truth of her doctrines: every-

* Extract from "A Treatise on the Ecclesiastical Law of all Christian Confessions." By Ferdinand Walter. Bonn. 1842. *Ninth Edition.*

thing else which produces a conviction either insincere or obtained by illicit means, is contrary to her purpose and dignity. Conversions effected by force or persuasion, or the promise of temporal advantages, are therefore inadmissible. Moreover even a person who is desirous of becoming a convert, is not to be admitted with too great precipitation to communion with the Church, but only after proper instruction and examination.

Lastly, all controversy against error is to be strictly confined to the subject-matter, and is to be conducted without vituperation or acrimony; all the duties of Christian charity are to be performed towards individuals, without reference to their religious creed, and persons of a different religion are even to be prayed for. The Greek Church acknowledges the same principles; although, owing to the pressure of outward circumstances, she has fewer opportunities for the diffusion of her doctrines. The symbolical writings of the Protestants likewise treat a union with the true Church as a sacred obligation. Hence the Protestants are actively employed in the diffusion of their own religious convictions. From what has been stated, it follows that each of the several confessions proclaims itself as the true one, and is therefore bound to confute and convert the others.

§ 2.—*Position of the State with regard to the different Confessions.—Ancient Law.*

In the Roman Empire, the civil law was originally either indifferent or hostile with respect to the Church. But after the Emperors had become Christian, they considered themselves bound, as Protectors of the Church, to use forcible means for suppressing schisms and novelties in doctrine, and to punish the heretical sects (especially such as had caused the great commotions and troubles) with a deprivation of civil rights and even with death. These laws were afterwards more or less adopted in the Germanic Kingdoms: since, on account of the close connection of the church with all civil institutions, resistance to the ecclesiastical authority was considered as impugning the power of the State. In the thirteenth century the temporal sovereigns were impelled, by the turbulent and obstinate heretics of that time, to increase the severity of these penal laws; in order to prevent the recurrence of the disorders and atrocities which were shown by experience to be the consequences of all religious dissensions. In the Russian Empire, also, similar circumstances produced the same result; for although foreigners of another confession were tolerated, yet the heresies which sprung up within the pale of the Russian Church were, so late as the eighteenth century, punished by burning.

§ 3.—*Principles of the Public Law of Germany, on the relation between Catholics and Protestants.*

The system described in the last paragraph prevailed in Germany until the sixteenth century, and would in the natural course of things have been applied to the religious innovations of that period. But the circumstances of the time compelled the Emperor to adopt a milder policy, and to insure to the Estates of the empire who adopted the new doctrine, peace and the free exercise of their religion. The treaty of Westphalia raised a further superstructure upon this foundation; and the following system was thus formed in the public law of Germany. The Imperial Estates of both confessions were declared equal in respect of all their relations to the Empire; and therefore a transition from one confession to another did not imply any alteration of political rights. Moreover each confession was secured for ever in the possession of all Church property held immediately of the empire, which belonged to it on the 1st of January 1624; and accordingly, every spiritual estate of the empire which changed its religion was bound to give up the Church property which it had possessed in virtue of its office, according to the prescription established by the decree of 1555. In like manner every seat in the Chapters immediately dependent on the empire was to be appropriated to the confession to which it had

belonged on the same day. Moreover, questions of religion were no longer to be decided in the Diet by a majority of voices, but an amicable agreement was required; subjects of this nature were therefore previously discussed, and decided apart by the Catholic and Protestant estates, as two distinct bodies. With respect to the exercise of religion in the several territories, every sovereign was, in virtue of his supremacy, invested with the right of religious reformation; subjects of a different creed were, however, to enjoy the public or private exercise of their religion, and their ecclesiastical constitution, as it had been in the year 1624; even those who could not lay claim to this possession were permitted, if the sovereign was willing to tolerate them in the country, to enjoy the right of domestic worship; or if they emigrated, voluntarily or compulsorily, to depart with their entire property. With regard to the chapters, convents, churches, schools, hospitals, and other Church property not held immediately of the empire, the title to them was likewise determined merely by the possession on the 1st of January 1624. Lastly, the Episcopal power and jurisdiction, (as in the imperial decree of 1555,) was suspended with respect to the estates of the empire belonging to the confession of Augsburg, and their subjects. The relation of the two confessions was thus precisely defined; but the principle of equal freedom and toleration was not recognised

with respect to the exercise of religion within the same territory, inasmuch as it was limited by various conditions and restrictions, which subsequently gave rise to dissensions and complaints. Nevertheless, the spirit of toleration gradually established itself more and more, both in public opinion, and in legislation. The decree of the Diet of 1803 conferred upon the territorial sovereign the absolute right of tolerating other sects of a similar character, and the act of federation of 1815 established a complete equality of civil and political rights for all religious persuasions. The latter provision does not indeed imply an equal right to the public exercise of religion; but this equality is in accordance with the spirit of the age, and is expressly sanctioned in several constitutions. At all events the Catholic Church, when subject to a Protestant sovereign, must be permitted to maintain a free intercourse with its Ecclesiastical head; as this communication is essential to its existence. In like manner, the Protestant Church, under a Catholic sovereign, is entitled to a constitution and freedom suitable to its spirit. In practice, however, the Supreme Protestant Episcopate, in a territory where the reigning house is Catholic, is considered as vested in the sovereign; although in this case he delegates the exercise of it to bodies composed exclusively of Protestants. The constitutional acts of several States contain provisions on this subject.

§ 4. *Relation of the Members of the Confession of Augsburg to the Calvinistic or Reformed Protestants.*

As compared with the Catholics, the members of the Reformed or Calvinistic Communion were, by the treaty of Westphalia, placed on a footing of perfect equality with the adherents of the Confession of Augsburg. But as differences had, in certain territories, arisen between the two Protestant sects, with respect to their mutual toleration, further provisions on this head were added. It was stipulated that for the present all agreements and treaties subsisting between the sovereign of the one, and the churches of the other sect, and all privileges accorded by the former to the latter, should hold good; and, for the future, where a sovereign passed from one Protestant confession to the other, or acquired a country in which the other confession was predominant, the people were guaranteed the public exercise of their religion, the maintenance of their church, sacred buildings, schools and foundations, and also the free choice of their clergy and schoolmasters. It was at the same time permitted to the sovereign to admit the other Protestant sect into a country in which that sect had not hitherto existed. The differences between the two communions were, however, gradually more and more softened; the Lutheran rulers, in particular, after the close of the 17th century, in many cases conceded to the emigrants from

the Palatinate and France the free exercise of their religion, and in part even the maintenance of the Presbyterian form of church government. At present both these religious persuasions probably enjoy perfect equality in every part of Germany.*

§ 5. *Position of the different Confessions in the other States.*

In the Catholic kingdoms into which the new doctrines did not penetrate, the public law retained in general its former principles. Hence, in Spain, Naples, Sardinia, the State of the Church, Mexico, and Columbia, only one religion is permitted, and the exercise of every other worship is prohibited. This rule, however, admits of an exception in the case of ambassadors of foreign powers; moreover, foreigners of another confession settling in these countries enjoy the protection of the laws; and even with respect to natives, no notice is taken of differences of personal opinions, so long as these opinions are not intentionally diffused. In Portugal and Brazil, foreigners are indeed permitted the exercise of domestic and private worship; and in the Grand Duchy of Tuscany, a still greater latitude is granted. In France, after a long series of intestine troubles, Henri IV., by the edict of Nantes, (1598) granted to the Protestants the free exercise of their religion, and equal civil rights with the

* A section relating to Great Britain and Ireland is here omitted.

Catholics. But as the Protestants continued to form an organised political party, the government had recourse to violent measures, and at last Louis XIV., in 1685, revoked the decree. By degrees, however, the oppression was relaxed, and in 1787, Louis XVI. gave them, with few exceptions, the free exercise of their religion, and an equality of civil rights. Lastly, the subsequent constitutions have recognised the Catholic religion as the religion of the majority of the nation, but have placed the three confessions upon a footing of perfect equality. To the same effect are the fundamental laws of Poland, the free city of Cracow, and the republic of Hayti. In Austria and the dependent kingdoms, the Protestants of the Augsburg and Swiss Confessions, since the Toleration Act of Joseph II. (1781), have enjoyed the free exercise of their religion, and an equality of civil and political rights, subject, however, to some variations, according to the different parts of the empire. In the Protestant countries out of Germany the legal principles with respect to religion remained the same as before the Reformation, but their application was reversed; that is to say, the exclusive rights which the Catholic Church had hitherto enjoyed were (as in England) taken away, and transferred to the new doctrine. Hence in Sweden the Augsburg Confession was alone tolerated, and it was not till 1741 that the Calvinists obtained the free exercise of their religion. Afterwards, this

privilege was extended to the other Christian sects ; yet even at present the members of the dominant church are alone eligible to public offices, and they and the Calvinists can be alone chosen as members of the Diet. In Denmark, likewise, the Augsburg Confession is alone predominant ; conversion to Catholicism is punished with exile and loss of the right of inheritance. So again in Norway, Lutheranism is declared the religion of the state. In the republic of the Netherlands, on the other hand, the Calvinist Church was predominant, until, at the remodelling of this State by the French in 1795, the Church and State were completely divided, and equal social and civil rights were granted to all religions. The same principle is also sanctioned in the recent kingdom of Belgium, and in the United States of America. Of the twenty-two cantons of the Swiss confederacy, nine are Catholic, six Calvinist, in six the two religions have equal rights, and one is divided. In Russia freedom of public worship is secured to foreigners by virtue of the manifestoes of 1702 and 1735 ; nor is any regard paid to religious creed in the distribution of offices ; no one, however, is allowed to leave the dominant church and pass into another persuasion. Lastly, in the Ionian Islands and the new kingdom of Greece, the Greek Church enjoys, indeed, the predominance ; but a free exercise of religion, and an equality of civil rights, are secured to the other confessions.

§ 6. *The legal position of the several confessions with respect to one another. Its different modes.*

The legal relation of the several Confessions to one another depends on the will of the sovereign power in a state; and it is usually determined in one of the three modes following:—

1. Besides the religion of the country, the free exercise of all other religions is permitted. This, however, does not imply an equality of civil rights.

2. The religion of the country is predominant, and others are only tolerated. This case admits of several degrees; e. g. that the members of the tolerated sect are permitted to assemble for religious purposes, but without any public distinction, or they are restricted to domestic prayers with a clergyman, or to domestic prayers simply. At the same time, the members of a merely tolerated religion may be equal in civil rights to those of the dominant church.

3. All religions other than that of the State may be wholly condemned. This may be done by rendering the exercise of the religion a punishable offence, by depriving its members of all civil rights, banishing them from the country, or subjecting them to bodily inflictions or death.

§ 7.—*Relations of the several Confessions, considered with regard to Public Policy.*

The unity of religion is, considered merely in a political point of view, an invaluable benefit to a country; for it renders possible that intimate connection between the religion and political constitution of the state, which maintains the national powers for the longest time in integrity and vigour: whereas the co-existence of several religions in the same state tends to produce an indifference to all, which exercises a mischievous influence upon the commonweal. A government is, therefore, justified by the true interest of the community, in striving to protect the national religion against divisions and innovations.

But when, in spite of these attempts, a new religious sect has by the force of circumstances obtained an actual existence, the spirit of Christianity requires that it should be permitted the exercise of its own religion, and enjoy civil toleration, the extent of which is to be subsequently regulated according to public opinion and other national considerations. When an equality of rights has been thus established between two religions in the same country, the government ought to maintain this state of things with the most scrupulous justice, afford equal protection to both parties, defend them against intestine divisions, and tolerate nothing inconsistent with the

doctrines or discipline of either church, in the places of instruction common to the members of both persuasions. It ought likewise to permit to both equal freedom in the movements of their church and the development of its doctrines, even when (as they are in duty bound) they controvert one another, provided that the controversy is conducted with due moderation. In like manner, the transition from one confession to another ought not to be prohibited, or to entail any civil consequences detrimental to the convert. At the same time, it is open to the sovereign to show a particular regard to his own confession, provided that no injury is inflicted on the other, and no civil disability imposed upon its members.

If, however, any government were to separate itself wholly from Christianity, and to consider all religion as a matter of indifference, incalculable disorders would spring from this fatal error; and the result would prove, that no community can exist without a national recognition of religion, unless its continuance was secured by the influence of the church, and of domestic institutions.

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